

ATTACHMENTS

for

Bogus Creek

FINAL
INTERIM SUMMARY REPORT

Prepared by Mark Rice, Ph.D., Historian I

BLM/State Assistance Agreement Program
Phase II-B Submission

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

September 15, 2014

UNITED STATES GOVERNMENT

Memorandum

Bogus Creek
Interim Report
Attachment 1

for

TO : Files

DATE: 12/17/75

FROM : Realty Specialist

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

SUBJECT: ETF navigable water determination on Tuluksak selection.

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

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

Kuskokwim River

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

The following water bodies are subject to tidal influence.

Mishevik Slough

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

Gweek River - Also not tidal

Patricia Beckley



5010-110

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

ADP 2
3/12/76



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

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

IN REPLY REFER TO

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

JUN 09 1981

Memorandum

To: Chief, Division of ANCSA Operations (960)
From: SD

Bogus Creek
Interim Report
Attachment 2

Subject: Final Easements for the Village of Tuluksak

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

MAJOR WATERWAYS:

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

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

NAVIGABILITY:

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

Kuskokwim River through the selection;

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

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

Mishevik Slough in its entirety;

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

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

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

Little Bogus Creek from its confluence with the Tuluksak River upstream, including Yukaniluk Creek, and into the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 35, T. 13 N., R. 64 W., Seward Meridian;

Bogus Creek through the selection; and

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

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

ALLOWABLE USES:

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

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

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

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

EASEMENTS TO BE RESERVED:

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

Discussion:

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

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

Discussion:

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

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

Discussion:

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

The following easements were considered but were not recommended:

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

Discussion:

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

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

Discussion:

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

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

Discussion:

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

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

Discussion:

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

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

Discussion:

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

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


Discussion:

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

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

Discussion:

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

A handwritten signature in black ink, appearing to read "Curtis H. [unclear]", located in the lower right portion of the document.

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

MAR 03 1982

pkc
2/24/82
2/24/82

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

DECISION

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

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

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

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

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

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

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

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

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

Seward Meridian, Alaska (Unsurveyed)

T. 13 N., R. 64 W.

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

Containing approximately 11,943 acres.

T. 14 N., R. 64 W.

Secs. 20 to 24, inclusive;

Secs. 26, 27, and 28;

Sec. 29, excluding Native allotments F-17371 and F-17365;

Sec. 32, excluding Native allotments F-17365, F-17545, and F-17371;

Secs. 33, 34, and 35.

Containing approximately 5,680 acres.

T. 11 N., R. 65 W.

Sec. 2, excluding Native allotment F-17037;

Secs. 3 to 8, inclusive.

Containing approximately 3,796 acres.

T. 12 N., R. 65 W.

Secs. 4 to 9, inclusive;

Secs. 15 to 19, inclusive;

Sec. 20, excluding Native allotments F-033629 and F-15041;

Sec. 21, excluding Native allotment F-15041;

Sec. 22;

Sec. 27;

Sec. 28, excluding Native allotment F-15041;

Sec. 29, excluding Native allotments F-15041 and F-17042;

Secs. 30 and 31;

Sec. 32, excluding Native allotment F-17042;

Secs. 33 and 34.

Containing approximately 11,988 acres.

T. 13 N., R. 65 W.

Sec. 13, excluding Native allotment F-17036;

Sec. 19;

Sec. 24, excluding Native allotment F-17036;

Secs. 25 to 36, inclusive.

Containing approximately 8,277 acres.

T. 11 N., R. 66 W.

Secs. 1 and 2;

Sec. 3, excluding Native allotments F-17373, F-17034, and F-17370;

Sec. 4, excluding Native allotments F-17034, F-17370, F-033643, F-17368, and F-025285;

Sec. 5, excluding Native allotments F-033643, F-17368, and F-025285;

Secs. 6 and 7, excluding Native allotment F-17035;

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

Containing approximately 14,918 acres.

T. 12 N., R. 66 W.

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

Containing approximately 16,106 acres.

T. 11 N., R. 67 W.

Sec. 1, excluding Native allotments F-17040 and F-17035;
 Sec. 12, excluding Native allotment F-17035;
 Sec. 13;
 Secs. 24 and 25;
 Sec. 36.

Containing approximately 2,880 acres.

T. 12 N., R. 67 W.

Sec. 1, excluding Native allotment F-17362;

Secs. 12 and 13;

Secs. 24 and 25;

Sec. 36.

Containing approximately 3,800 acres.

Aggregating approximately 79,388 acres.

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

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

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

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

1. The subsurface estate therein, and all rights, privileges, immunities, and appurtenances, of whatsoever nature, accruing unto said estate pursuant to the Alaska Native Claims Settlement Act of December 18, 1971 (43 U.S.C. 1601, 1613(f)); and
2. Pursuant to Sec. 17(b) of the Alaska Native Claims Settlement Act of December 18, 1971 (43 U.S.C. 1601, 1616(b)), the following public easements, referenced by easement identification number (EIN) on the easement maps attached to this document, copies of which will be found in case file F-14949-EE, are reserved to the United States. All easements are subject to applicable Federal, State, or Municipal corporation regulation. The following is a listing of uses allowed for each type of easement. Any uses which are not specifically listed are prohibited.

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

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

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

- a. (EIN 4 C4, D9) A one (1) acre site easement upland of the ordinary high water mark in Sec. 2, T. 12 N., R. 66 W., Seward Meridian, on the right bank of the Kuskokwim River. The uses allowed are those listed above for a one (1) acre site easement.
- b. (EIN 5 C4, D1) An easement for a proposed access trail twenty-five (25) feet in width from the Tuluksak Airport in Sec. 27, T. 12 N., R. 66 W., Seward Meridian easterly to the Tuluksak River barge landing, and public lands. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement. The season of use will be limited to winter.
- c. (EIN 13 C4) An easement for an existing access road twenty-six (26) feet in width in Sec. 27, T. 12 N., R. 66 W., Seward Meridian from the easterly boundary of U.S. Survey No. 875 south-easterly to the westerly boundary of lot 2 of proposed U.S. Survey No. 4435, a distance of approximately three hundred (300) feet. The uses allowed are those listed above for a twenty-six (26) foot road.

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

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

2. Valid existing rights therein, if any, including but not limited to those created by any lease (including a lease issued under Sec. 6(g) of the Alaska Statehood Act of July 7, 1958 (48 U.S.C. Ch. 2, Sec. 6(g))), contract, permit, right-of-way, or easement, and the right of the lessee, contractee, permittee, or grantee to the complete enjoyment of all rights, privileges, and benefits thereby granted to him. Further, pursuant to Sec. 17(b)(2) of the Alaska Native Claims Settlement Act (ANCSA) of December 18, 1971 (43 U.S.C. 1601, 1616(b)(2)), any valid existing right recognized by ANCSA shall continue to have whatever right of access as is now provided for under existing law; and
3. Requirements of Sec. 14(c) of the Alaska Native Claims Settlement Act of December 18, 1971 (43 U.S.C. 1601, 1613(c)), that the grantee hereunder convey those portions, if any, of the lands hereinabove granted, as are prescribed in said section.

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

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

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

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

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

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

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

1. Parties receiving service of this decision shall have 30 days from the receipt of this decision to file an appeal.
2. Unknown parties, parties unable to be located after reasonable efforts have been expended to locate, and parties who failed or refused to sign the return receipt shall have until APR 05 1982 to file an appeal.

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

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

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

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

Tulkisarmute Incorporated
Tuluksak, Alaska 99679

Calista Corporation
516 Denali Street
Anchorage, Alaska 99501

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

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

cc:

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

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

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

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

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

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

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

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

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

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

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

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

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

DM-A (010)
(w/maps)

AM-M (018)
(w/maps)

Chief, Branch of Office Engineering (922)

Chief, Branch of Lands (941)

Chief, State Adjudication (964)

Chief, Branch of Easement Identification (963)

Fire Management (970)
Attn: J. Costello

AA-40710 (2300.5)

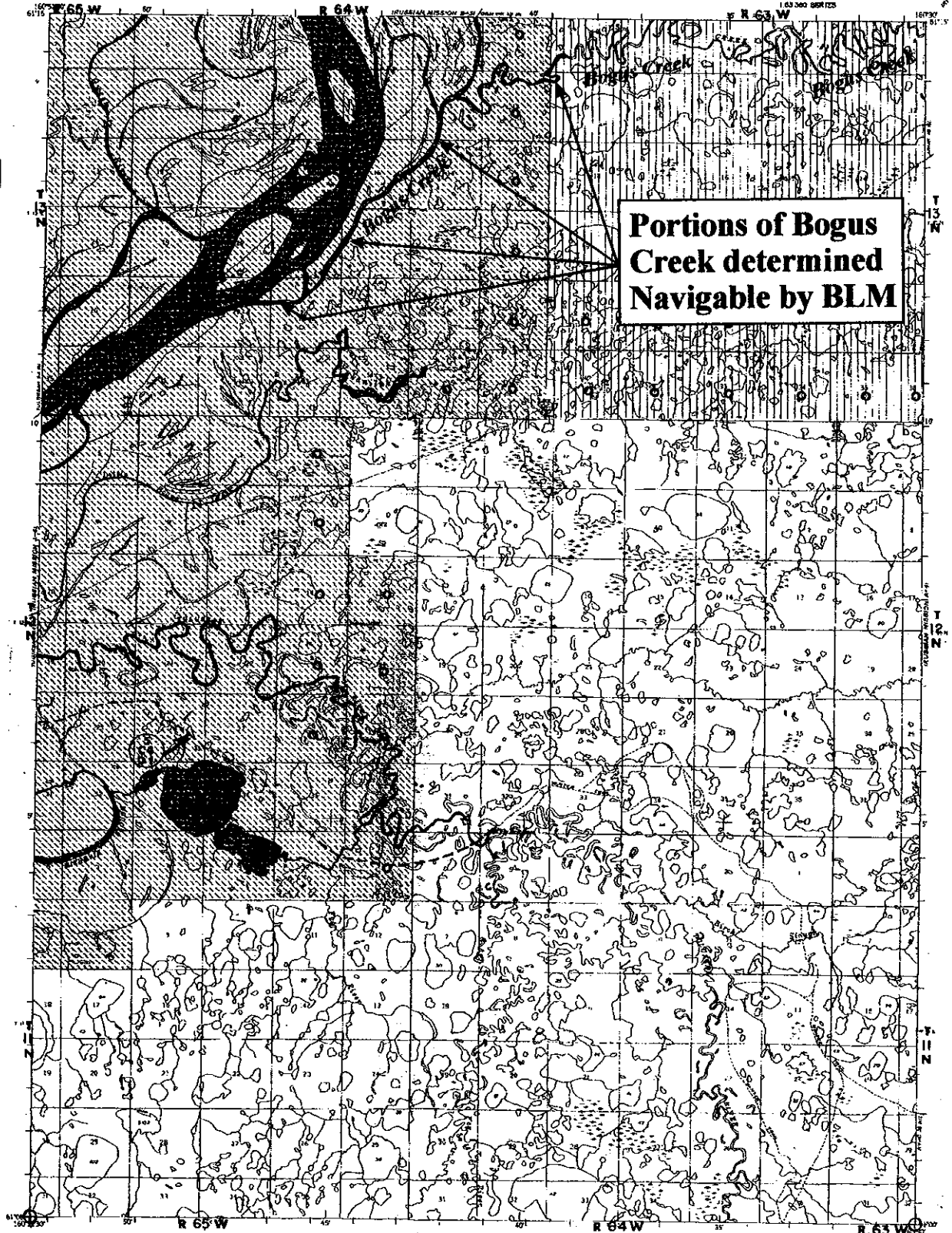
F-033652 (2800)

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

NAVIGABILITY SECTION DETERMINED			
VILLAGE	DATE	INITIALS	
TULUKSAK	2/7/81	SKG	

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

Notice	Notice	Notice
7/7/81	7/7/81	7/7/81
Decision	Decision	Decision
7/7/81	7/7/81	7/7/81
Copy	Copy	Copy



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

- NAPAISKAK VILLAGE SELECTION
 TULUKSAK VILLAGE SELECTION

ROAD CLASSIFICATION
Trails

TuluksaK 2/17/76 SD.

RUSSIAN MISSION (A-5) ALASKA
N6100-W15005/15025

RUSSIAN MISSION A-5

2/7/81

INTERIM CONVEYANCE

WHEREAS

Tulkisarmute Incorporated

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

Seward Meridian, Alaska (Unsurveyed)T. 13 N., R. 64 W.

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

Containing approximately 11,943 acres.

T. 14 N., R. 64 W.

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

Containing approximately 5,680 acres.

T. 11 N., R. 65 W.

Sec. 2, excluding Native allotment F-17037;
 Secs. 3 to 8, inclusive.

Containing approximately 3,796 acres.

T. 12 N., R. 65 W.

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

This document has been
 Corrected by IC No. 2095
 Dated 3/06/2008

Interim Conveyance No. 542

Date

AUG 27 1982

This document has been
 corrected by IC No. 1997
 Dated 06/27/2006

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

Containing approximately 11,988 acres.

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

Containing approximately 8,277 acres.

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

Containing approximately 14,918 acres.

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

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Interim Conveyance No. _____

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

Containing approximately 16,106 acres.

T. 11 N., R. 67 W.

- Sec. 1, excluding Native allotments F-17040 and F-17035;
- Sec. 12, excluding Native allotment F-17035;
- Sec. 13;
- Secs. 24 and 25;
- Sec. 36.

Containing approximately 2,880 acres.

T. 12 N., R. 67 W.

- Sec. 1, excluding Native allotment F-17362;
- Secs. 12 and 13;
- Secs. 24 and 25;
- Sec. 36.

Containing approximately 3,800 acres.

Aggregating approximately 79,388 acres.

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

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

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

1. The subsurface estate therein, and all rights, privileges, immunities, and appurtenances, of whatsoever nature, accruing unto said estate pursuant to the Alaska Native Claims Settlement Act of December 18, 1971, as amended (43 U.S.C. 1601, 1613(f)); and
2. Pursuant to Sec. 17(b) of the Alaska Native Claims Settlement Act of December 18, 1971, as amended

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Date _____

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

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

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

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

- a. (EIN 4 C4, D9) A one (1) acre site easement upland of the ordinary high water mark in Sec. 2, T. 12 N., R. 66 W., Seward Meridian, on the right bank of the Kuskokwim River. The uses allowed are those listed above for a one (1) acre site easement.
- b. (EIN 5 C4, D1) An easement for a proposed access trail twenty-five (25) feet in width from the Tuluksak Airport in Sec. 27, T. 12 N., R. 66 W., Seward Meridian, easterly to the Tuluksak River barge landing, and public lands. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement. The season of use will be limited to winter.
- c. (EIN 13 C4) An easement for an existing access road twenty-six (26) feet in width in Sec. 27, T. 12 N., R. 66 W., Seward Meridian from the easterly boundary of U.S. Survey No. 875 southeasterly to the westerly boundary of lot 2 of proposed U.S. Survey No. 4435, a distance of approximately three hundred (300) feet. The uses allowed are those listed above for a twenty-six (26) foot road.

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Interim Conveyance No. _____

AUG 27 1982

Date _____

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

1. Issuance of a patent after approval and filing by the Bureau of Land Management of the official plat of survey confirming the boundary description and acreage of the lands hereinabove granted;
2. Valid existing rights therein, if any, including but not limited to those created by any lease, (including a lease issued under Sec. 6(g) of the Alaska Statehood Act of July 7, 1958, as amended (48 U.S.C. Ch. 2, Sec. 6(g))), contract, permit, right-of-way, or easement, and the right of the lessee, contractee, permittee, or grantee to the complete enjoyment of all rights, privileges, and benefits thereby granted to him. Further, pursuant to Sec. 17(b)(2) of the Alaska Native Claims Settlement Act of December 18, 1971, as amended (43 U.S.C. 1601, 1616(b)(2)) (ANCSA), any valid existing right recognized by ANCSA shall continue to have whatever right of access as is now provided for under existing law; and
3. Requirements of Sec. 14(c) of the Alaska Native Claims Settlement Act of December 18, 1971, as amended (43 U.S.C. 1601, 1613(c)), that the grantee hereunder convey those portions, if any, of the lands hereinabove granted, as are prescribed in said section.

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

UNITED STATES OF AMERICA

Alma D. Arnold

Assistant to the State Director
for Conveyance Management

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Interim Conveyance No. _____

Date AUG 27 1982

INTERIM CONVEYANCE

WHEREAS

Calista Corporation

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

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Interim Conveyance No. _____

Seward Meridian, Alaska (Unsurveyed)T. 13 N., R. 64 W.

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

Containing approximately 11,943 acres.

T. 14 N., R. 64 W.

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

Containing approximately 5,680 acres.

T. 11 N., R. 65 W.

Sec. 2, excluding Native allotment F-17037;
 Secs. 3 to 8, inclusive.

Containing approximately 3,796 acres.

T. 12 N., R. 65 W.

Secs. 4 to 9, inclusive;
 Secs. 15 to 19, inclusive;

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Date AUG 27 1982

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

Containing approximately 11,988 acres.

T. 13 N., R. 65 W.

Sec. 13, excluding Native allotment F-17036;
Sec. 19;
Sec. 24, excluding Native allotment F-17036;
Secs. 25 to 36, inclusive.

Containing approximately 8,277 acres.

T. 11 N., R. 66 W.

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

Containing approximately 14,918 acres.

T. 12 N., R. 66 W.

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

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Interim Conveyance No. _____

Date _____ AUG 27 1982

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

Containing approximately 16,106 acres.

T. 11 N., R. 67 W.

- Sec. 1, excluding Native allotments F-17040 and F-17035;
- Sec. 12, excluding Native allotment F-17035;
- Sec. 13;
- Secs. 24 and 25;
- Sec. 36.

Containing approximately 2,880 acres.

T. 12 N., R. 67 W.

- Sec. 1, excluding Native allotment F-17362;
- Secs. 12 and 13;
- Secs. 24 and 25;
- Sec. 36.

Containing approximately 3,800 acres.

Aggregating approximately 79,388 acres.

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

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

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Interim Conveyance No. _____

Date AUG 27 1982

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

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

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

UNITED STATES OF AMERICA

Alvin D. Arnold

Assistant to the State Director
for Conveyance Management

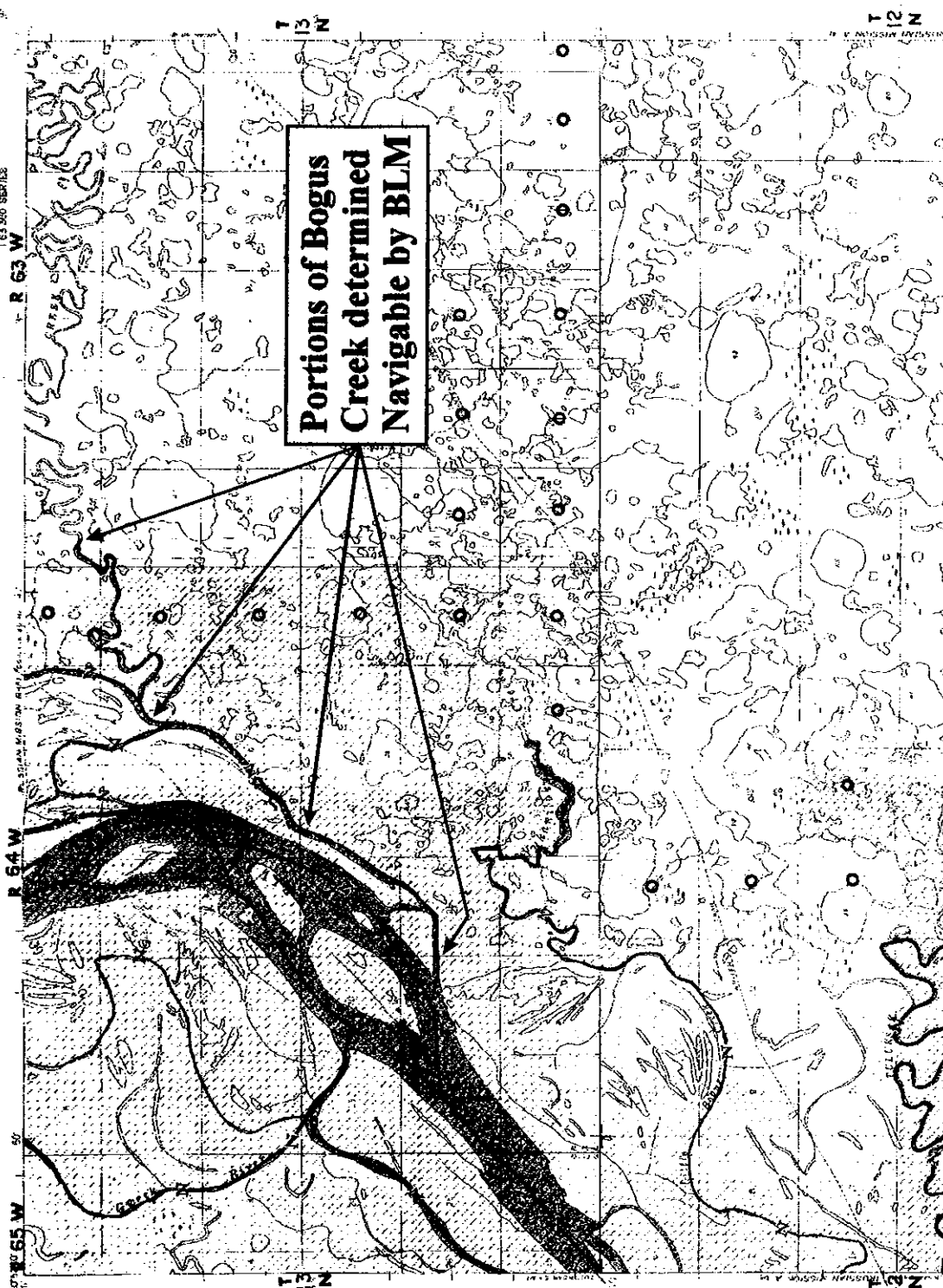
543

Interim Conveyance No. _____

Date AUG 27 1982

UNITED STATES
DEPARTMENT OF THE INTERIOR

RUSSIAN MISSION (A 5) QUADRANGLE
ALASKA
1:63,500 SERIES



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

NAVIGABILITY DECISION REVIEWED		
VILLAGE	DATE	INITIALS
BOGUS CREEK	9/8/91	S 763



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
ALASKA STATE OFFICE
701 C STREET, BOX 13
ANCHORAGE, ALASKA 99513-0099

Bogus Creek
Interim Report
Attachment 5

Russian Mission GS-FY'88-⁹⁵
F-14888-EE (75.4)
(961)

MAR 28 1989

Memorandum

To: ✓ F-14888-EE

From: Realty Specialist

Subject: Supplemental Interviews for Group 254 (Window 1834)

March 22, 1989

I telephoned Iftikim Evan (471-2270) for information about the use of Bogus Creek and its tributaries to reach Native allotments southwest of Whitefish Lake. Iftikim answered. He said he needed someone to interpret; he would call me back in a half hour. When he called back, his daughter, Helen Gregory, came on the line. I asked how Iftikim and others accessed their Native allotments in the area. Iftikim goes in winter to trap beaver. He said he did not believe that one could get there by boat. When asked about Elia Evan's allotment southwest of his own, Iftikim said he believed it could be reached by water. I asked what route, Whitefish or Bogus Creek? Helen answered that Iftikim said "by way of Tuluksak" and only using a canoe after the larger boats could go no farther up Bogus Creek. Helen was not able to get any idea of how far up the larger boats went. For information on Elia Evan's access to his allotment, Helen said I should call Mary K. Evan, Elia's widow, who would be home after three.

I called Mary K. Evan (471-2265) and found she had little to say about getting to Elia's allotment. At first she misunderstood which allotment because in summer they always went to allotments west of the Kuskokwim. She commenced by saying they went by way of Mud Creek, and when I explained again our concern was the allotment southwest of Whitefish Lake, she said Elia only went there to "hunt beaver" which, meant mainly trapping. Mary K. said, "I never get to see those camps" where the trapping was done. "You can't bring the boat around," she said. Mary K. asked about the status of the allotment. She wants her kids to have the allotment, even though they show little interest in it. I gave her the phone number of Calista Adjudication.

March 24, 1989

Lower Kalskag resident Alexander (Alex) Levi (471-2246), returned my call of yesterday. He said that he and the other allottees have always gone in to the Native allotments in the area southwest of Whitefish Lake in winter and spring with snowmachines. There are many beaver dams on the creeks in the vicinity of the allotments. He knows of noone going in by way of Bogus Creek. He is aware of the location of Elia Evan's allotment and does not believe it was practical for Elia to get there by water. Lands for picking berries were selected at other places, but the good beaver territory attracted people to the area near Whitefish Lake. In spring there are numerous stretches of water which could be used, but as a practical matter, Whitefish Lake and up Bogus Creek do not provide a good water route to reach the Native allotments. It would take too long and be too much work to struggle through that way. He spoke of getting to the beaver area in forty-five minutes by snowmachine from Lower Kalskag.

Edgar A. Ewert

Bogus Creek
Interim Report
Attachment 6

✓ Russian Mission GS-FY'89-#3
F-16534 (2651)
(961)

APR 4 1989

Memorandum

To: File F-16534 (Parcel D)

From: Realty Specialist

Subject: Supplementary Navigability Report Interview with Dennis Stromm,
Assistant Manager, Yukon Delta National Wildlife
Refuge Group Survey 254 (Window 1834)

March 31, 1989

To get more information about Bogus Creek in the vicinity of the Native allotments southwest of Whitefish Lake on streams connecting to Bogus Creek extensions of Bogus Creek, I contacted the Yukon-Kuskokwim Delta National Wildlife Refuge offices in Bethel (543-3151). I asked for Dennis Strom, and in his absence was referred to the manager of the refuge, Ron Perry. Perry said I should wait until Strom returned on Monday as he is the man who knows the area best. He suggested I call Strom "first thing Monday morning."

April 3, 1989

Strom was not in when I called his office. The secretary said he was on sick leave. I left a message for him to call me when he returned and was surprised when he called 1:30.

I told Dennis Strom I needed any information he had about Bogus Creek's upper reaches, described the location of the Native allotments on it. Strom said the creek is wide and clear for a long distance up, tapering down for about two-thirds of its length, to a very narrow stream, less than fifteen feet wide. It is like other such streams in the area, quite deep, its depth to be measured in feet, not inches. I specifically asked about Elia Evan's Native allotment in Sec. 32, T. 14 N., R. 61 W., SM. Strom confirmed that the main stem for Bogus Creek flows through that allotment. He said that he has no doubt that the area can be reached by coming up Bogus Creek. Strom believes that is how Elia Evan originally located his

trapping allotment (In his application, Evan claimed use of his allotment since 1948, predating the use of snowmobiles.). Strom said there is no doubt that it is boatable in seasonal high water, and likely through the year, as the streams are much deeper than the lakes. Although the banks are mostly edged with willows, the stream can at least seasonally be boated, and likely year-round. Strom did not believe any of the side-streams are regularly boatable. The streams in and along the Native allotments northeast of Elia Evan's are almost certainly dammed periodically by beaver and are very shallow. Strom said that none of these allotments could be reached by water from Whitefish Lake and he does not believe than anyone has ever accessed them by using Bogus Creek. Too much effort would be required, even with canoes.

/s/ Edgar A. Earnhart

961:EEarnhart:jeh:04/04/89:1748t

OK 5-3-89

CMBrown 5/3/89
KARSTETTER 5/3/89

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

MAY 8 1989

Memorandum

To: Deputy State Director for Cadastral Survey (923)
From: Deputy State Director for Conveyance Management (960)
Subject: Navigable Waters in Group Survey No. 268 (Window 1836)

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

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

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

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

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

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

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

Tuluksak River

On May 22, 1985, the BLM determined the Tuluksak River navigable from its mouth to several townships upstream of the report area at Upper Landing (about mile fifty-nine). [See John J. Rumps to Chief, Branch of Conveyance Services (1962), May 22, 1985.]

Gweek River

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

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

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

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

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

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

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

Miscellaneous Navigable Water Bodies

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

Other Water Bodies

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

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cc:

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961:DTideman:hc:5-02-89:1564t

Table 1

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

1. Kuskokwim River.
2. Interconnecting slough of Kuskokwim River in Secs. 21, 28, and 29, T. 13 N., R. 64 W., SM.
3. Interconnecting slough of Kuskokwim River with mouth in Sec. 10, T. 13 N., R. 64 W., SM and in Sec. 27, T. 14 N., R. 64 W., SM.
4. Slough heading in Sec. 34, T. 14 N., R. 64 W., SM, and joining Bogus Creek in Sec. 11, T. 13 N., R. 64 W., SM.
5. Interconnecting slough of Kuskokwim River with mouths in Sec. 36, T. 13 N., R. 65 W., SM and Sec. 6, T. 12 N., R. 65 W., SM.
6. Anabranh of Kuskokwim and Gweek rivers with mouths in Sec. 19, T. 13 N., R. 64 W., SM and in Sec 35, T. 13 N., R. 65 W., SM.
7. Interconnecting slough of Kuskokwim River in Sec. 31, T. 13 N., R. 64 W., SM and Sec. 36, T. 13 N., R. 65 W., SM.
8. Interconnecting slough of Kuskokwim River heading in NW¼ Sec. 33, T. 12 N., R. 66 W., SM and emptying in Sec. 7, T. 11 N., R. 66 W., SM.
9. Mishevik Slough in T. 10 N., Rs. 66 and 67 W., SM.
10. Right-bank slough emptying into the Kisaralik River in Secs. 20 and 21, T. 9 N., R. 67 W., SM.
11. Reindeer Slough from its head in Sec. 21, T. 10 N., R. 67 W., SM to its mouth in Sec. 15, T. 9 N., R. 67 W., SM.
12. West channel of Reindeer Slough in Secs. 21 and 28, T. 10 N., R. 67 W., SM.
13. Slough of Kuskokwim River in S¼S¼ of Sec. 8 to its mouth in Sec. 17, T. 9 N., R. 68 W., SM.
14. Interconnecting slough of Kuskokwim River in Secs. 2 and 10, T. 9 N., R. 68 W., SM.
15. Slough from Kuskokwim River to Kuskokuak Slough in Secs. 16, 21, and 28, T. 9 N., R. 68 W., SM.
16. Gweek River in Tps. 9-11 N., R. 69 W., and T. 10 N., R. 68 W., SM.

17. Interconnecting slough of Kuskokwim River in Secs. 2, 3, and 10, T. 9 N., R. 68 W., SM and in Secs. 34 and 35, T. 10 N., R. 68 W., SM.
18. Kuskokuak Slough.
19. Pikmiktalik River, and its interconnecting slough in Secs. 4, 5, and 8, T. 10 N., R. 73 W., SM.
20. North Fork Johnson River in Sec. 31, T. 10 N., R. 74 W., SM, and in T. 9 N., R. 74 W., SM (mouth in Secs. 16 and 17, T. 9 N., R. 74 W., and head in Sec. 31, T. 10 N., R. 74 W., SM).
21. Double-lined slough in Sec. 30, T. 11 N., R. 74 W., SM and in Secs. 24 and 25, T. 11 N., R. 75 W., SM.

Table 2

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

1. Bogus Creek slough in Secs. 2 and 11, T. 13 N., R. 64 W., SM. (IC 542)(Russian Mission A-5)
2. Bogus Creek in Sec. 11, T. 13 N., R. 64 W., SM. (IC 542)(Russian Mission A-5)
3. Kuskokwim River slough in Secs. 3 and 10, T. 13 N., R. 64 W., SM (single-lined on USGS maps), and branch in Secs. 2, 3, and 11, T. 13 N., R. 64 W., SM. joining Bogus Creek in Sec. 11. (IC 542)(Russian Mission A-5)
4. Slough with mouth in Sec. 19, T. 13 N., R. 64 W., SM, in Secs. 5, 8, 9, 18 and 19, T. 13 N., R. 64 W., SM.(IC 542)(Russian Mission A-5)
5. Yukaniluk Creek in Secs. 27, 28, 32, and 33, T. 13 N., R. 64 W., SM. (IC 542)(Russian Mission A-5)
6. Gweek River in Secs. 18 and 19, T. 13 N., R. 64 W., SM, Sec. 13, T. 13 N., R. 65 W., Secs. 1 and 2, 10, 11, 14, 21, 22, 23, 26-32, T. 11 N., R. 68 W., SM; and in Secs. 25, 35, and 36, in T. 12 N., R. 68 W., SM. (ICs 542, 618, 1027)
7. Lake influent and downstream segment of Fog River in Sec. 2, T. 11 N., R. 65 W., SM. (IC 542)(Russian Mission A-5)
8. Mishevik Slough in Secs. 5 and 6, T. 11 N., R. 65 W., SM; Secs. 31 and 32, T. 12 N., R. 65 W.; Secs. 4, 5, 8 and 18, T. 10 N., R. 66 W.; Tps. 11 and 12 N., R. 66 W., SM. (ICs 542, 610)(Russian Mission A-5, A-6)
9. Little Bogus Creek in Secs. 4, 5, 8, 9, 18, and 19, T. 12 N., R. 65 W., SM. (IC 542)(Russian Mission A-5 and A-6)
10. Lake effluent entering Mishevik Slough in Sec. 32, T. 12 N., R. 65 W., SM. (IC 542)(Russian Mission A-5)
11. Tuluksak River in Secs. 15, 16, 19, 20, 21, 22, 27, and 30, T. 12 N., R. 65 W., SM, and in T. 12 N., R. 66 W., SM. (IC 542)(Russian Mission A-5, A-6)
12. Kasigluk River in Secs. 31 and 33, T. 9 N., R. 66 W., SM. (IC 610)
13. Portion of right-bank tributary of Mishevik Slough (mouth in Sec. 1, T. 11 N., R. 66 W., SM) double-lined on USGS Russian Mission A-6, in Secs. 1 and 2, T. 11 N., R. 66 W., and Sec. 35, T. 12 N., R. 66 W., SM. (IC 542)

14. Slough in Secs. 20 and 21, T. 11 N., R. 66 W., SM. (IC 542)(Russian Mission A-6)
15. Left-bank stream/slough (mouth in Sec. 22) in Secs. 22, 23, 24, 25, and 26, T. 11 N., R. 66 W., SM. (IC 542)(Russian Mission A-6)
16. Stream heading in lake in Sec. 8, T. 12 N., R. 66 W., SM, and emptying into slough in Sec. 15, T. 12 N., R. 66 W., SM. (IC 542)(Russian Mission A-6)
17. Interconnecting slough of the Kuskokwim with head in Sec. 15 and mouth in Sec. 31, T. 12 N., R. 66 W., SM, and its branch in Secs. 15, 21, and 22. (IC 542)(Russian Mission A-6)
18. Interconnecting slough of Kuskokwim River with head in Sec. 28 and mouth in Sec. 32, T. 12 N., R. 66 W., SM. (IC 542)(Russian Mission A-6)
19. Right-bank slough of Kuskokwim River in Sec. 6, T. 9 N., R. 67 W., SM. (IC 610)(Bethel D-6)
20. Tributary of Reindeer Slough in Secs. 8 and 9, T. 9 N., R. 67 W., SM, portion double-lined on USGS Bethel D-6. (IC 610)
21. Kisaralik River to forks in Sec. 13, T. 9 N., R. 67 W., SM. (IC 610)(Bethel D-6)
22. Slough (mouth in Sec. 19) in Secs. 17, 18, and 19, T. 9 N., R. 67 W., SM. (IC 610)(Bethel D-6)
23. Slough in Secs. 8 and 17, T. 9 N., R. 67 W., SM. (IC 610)(Bethel D-6)
24. Kuskokwim River anabranch heading in Sec. 6, T. 10 N., R. 66 W., SM, emptying into Mishevik Slough in Sec. 25, T. 10 N., R. 67 W., SM. (IC 610)(Bethel D-6)
25. Reindeer Slough from its head in Sec. 21, T. 10 N., R. 67 W., SM, to its mouth in Sec. 15, T. 9 N., R. 67 W., SM. (IC 610)(Bethel D-6)
26. Lake and outlet in Sec. 7, T. 9 N., R. 68 W., SM. (IC 1027)(Bethel D-6)
27. Portion of slough double-lined on Bethel D-7 in Secs. 8 and 17, T. 9 N., R. 68 E., SM. (IC 618)
28. Interconnecting slough of Kuskokwim River and Kuskokuak Slough in Secs. 16, 21, and 28, T. 9 N., R. 68 W., SM. (ICs 213, 618) (Bethel D-7)
29. Kongeruk River in Sec. 31, T. 9 N., R. 72 W., SM. (IC 448)
30. Left-bank tributary of Pikmiktalik River in Secs. 29 and 30, T. 11 N., R. 72 W., SM. (IC 448)(Marshall A-1)
31. Left-bank tributary of Pikmiktalik River in Secs. 35 and 36, T. 9 N., R. 73 W., SM. (IC 448)(Baird Inlet D-1)

32. Lake effluent in Secs. 4 and 9, T. 9 N., R. 74 W., SM. (IC 485; Baird Inlet D-2)
33. Tributary of Johnson River (mouth in Sec. 5, T. 9 N., R. 74 W.) in Sec. 5, T. 9 N., R. 74 W., SM; and in Secs. 28, 32, and 33, T. 10 N., R. 74 W., SM. (IC 485)(Baird Inlet D-2)
34. Lake effluent in Sec. 27, T. 9 N., R. 74 W., SM. (IC 485) (Baird Inlet D-2)
35. North fork of Johnson River (mouth in Sec. 16, T. 9 N., R. 74 W., SM) and its tributary in Sec. 6, T. 9 N., R. 74 W., SM and in Secs. 1, 2, and 12, T. 9 N., R. 75 W., SM. (ICs 485, 595, 678)
36. Right-bank tributary (mouth in Sec. 17) of Johnson River in Secs. 7, 8, and 17, T. 10 N., R. 74 W., SM. (IC 485)(Baird Inlet D-2)
37. Left-bank tributary of Johnson River in Sec. 25, T. 11 N., R. 74 W., SM (single-lined on USGS Marshall A-1). (IC 448)
38. Johnson River to and through Sec. 36, T. 11 N., R. 74 W., SM. (ICs 448, 485, 595)
39. Right-bank tributary of Johnson River in Secs. 26 and 35, T. 10 N., R. 75 W., SM. (IC 595)(Baird Inlet D-2)
40. Right-bank tributary of Johnson River in Tps. 9 and 10 N., R. 75 W., SM, heading in Kayigyalik Lake in Sec. 15, T. 10 N., R. 75 W., SM, and emptying into the Johnson at Kasigluk in Sec. 2, T. 9 N., R. 75 W., SM. (IC 595)(Baird Inlet D-2)
41. Stream heading in Nunavapak Lake in Sec. 28, T. 9 N., R. 76 W., SM, and emptying into Johnson River tributary in Sec. 22, T. 10 N., R. 75 W., including interconnecting slough in Sec. 21, T. 10 N., R. 75 W., outside of Native allotment AA-58195-A. (IC 595)(Baird Inlet D-2, D-3)
42. Interconnecting slough in Sec. 25, T. 10 N., R. 76 W., SM. (IC 595)(Baird Inlet D-2)

Table 3

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

1. Left-bank tributary of Bogus Creek from its mouth in Sec. 3 to tributary in S½ Sec. 22, T. 13 N., R. 62 W., SM. (Flight 9, roll 2, frame 12, 1987) (Russian Mission A-4)
2. Bogus Creek in Secs. 1 and 12, T. 13 N., R. 64 W., SM, and T. 13 N., Rs. 62 and 63 W., SM. (Flight 9, roll 2, frame 12, 1987)
3. Kuskokwim River slough (mouth in Sec. 19, T. 13 N., R. 64 W., SM), to right bank tributary in E½ of Sec. 12, T. 13 N., R. 65 W., SM. (Flight 9, roll 2, frame 5, 1987)
4. Fog River in Secs. 1, 11, and 14 to tributary in the E¼W¼ of Sec. 13, T. 11 N., R. 65 W., SM, and Sec. 36, T. 12 N., R. 65 W., SM. (Flight 7, roll 1, frame 36, 1987)
5. Little Bogus Creek in Secs. 3 and 10, T. 12 N., R. 65 W., SM. (CIR 60, roll 7, frame 277, 1980)
6. Right-bank tributary of Tuluksak River in Sec. 25, T. 12 N., R. 65 W., SM. (Flight 7, roll 1, frame 36, 1987) (Russian Mission A-5)
7. Stream emptying into interconnecting slough of Kisaralik River, in Secs. 1, 2, 3, and 11, T. 9 N., R. 66 W., SM. (Flight 3, roll 1, frame 31, 1987) (Bethel D-6)
8. Stream (mouth in Sec. 18) emptying into Mishevik Slough in Secs. 3 and 10, T. 10 N., R. 66 W., SM. (Flight 5, roll 1, frame 30, 1987) (Bethel D-6)
9. Slough in Secs. 3 and 10, T. 10 N., R. 66 W., SM to lower lake effluent in NW¼ Sec. 10 on USGS Bethel D-6. (Flight 5, roll 1, frame 30, 1987) (Bethel D-6)
10. Israthorak Creek to and through Native allotment AA-51769 in Sec. 30, T. 13 N., R. 67 W., SM. (Flight 8A, roll 2, frames 6 and 7, 1987) (Russian Mission A-7)
11. Left-bank tributary of Gweek River in Sec. 12, T. 11 N., R. 68 W., SM. (Flight 7, roll 1, frame 29, 1987) (Russian Mission A-6, A-7)
12. Left-bank tributary of Gweek River in Secs. 13 and 24, T. 11 N., R. 68 W., SM. (Flight 6, roll 1, frame 24, 1987) (Russian Mission A-7)
13. Right-bank tributary of Gweek River in NW¼ Sec. 28, T. 10 N., R. 69 W., SM. (Flight 4, roll 1, frame 24, 1987) (Bethel D-7)

14. Left-bank tributary of Pikmiktalik River in Secs. 22, 27, and 28, T. 11 N., R. 72 W., SM. (Flight 6, roll 1, frame 13, 1987) (Marshall A-1)
15. Right-bank tributary of Pikmiktalik River in Secs. 23 and 24, T. 11 N., R. 73 W., SM. (Flight 6, roll 1, frame 12, 1987) (Marshall A-1)
16. Johnson River in T. 11 N., R. 73 W., SM; Secs. 13, 23, 24, 26, 34 and 35, T. 11 N., R. 74 W., SM; and in Sec. 2, T. 10 N., R. 74 W., SM. (Flight 6, roll 1, frames 10, 11, and 12, 1987)
17. Slough (mouth in Sec. 4), in Secs. 3 and 4, T. 11 N., R. 74 W., SM. (Roll 7, frame 292, 1980) (Marshall A-2)
18. Stream in Sec. 7, T. 11 N., R. 74 W., SM. (Roll 7, frame 294, 1980) (Roll 1, flight 6, frame 8, 1987) (Marshall A-2)
19. Interconnecting slough of Johnson River in Secs. 23 and 26, T. 11 N., R. 74 W., SM. (Roll 1, flight 6, frames 9 and 10) (Marshall A-1)
20. Slough (mouth in Sec. 34) in Secs. 27 and 34, T. 11 N., R. 74 W., SM. (Roll 1, flight 6, frames 9 and 10, 1987)
21. Slough heading in lake in Secs. 1 and 12 (mouth in E $\frac{1}{2}$ Sec. 12), T. 10 N., R. 75 W., SM. (Flight 5, roll 1, frame 9, 1987) (Baird Inlet D-2)
22. Slough connecting Kyigayalik Lake with an unnamed lake in Sec. 12, T. 10 N., R. 75 W., SM, including north channel in W $\frac{1}{4}$, Sec. 12. (Flight 5, roll 1, frame 9, 1987) (Baird Inlet D-2)
23. Slough (mouth in Sec. 22) in E $\frac{1}{2}$ Sec. 15, T. 10 N., R. 75 W., SM. (Roll 1, Flight 5, frame 8, 1987) (Baird Inlet D-2)
24. Stream in Secs. 7 and 8, T. 11 N., R. 75 W., SM. (Roll 7, frame 294, 1980) (Roll 1, flight 6, frame 5, 1987) (Marshall A-2)
25. Stream in Secs. 20 and 21, T. 11 N., R. 75 W., SM. (Flight 6, roll 1, frame 6, 1987) (Marshall A-2)
26. Slough in SE $\frac{1}{4}$, Sec. 21, T. 11 N., R. 75 W., SM. (Roll 1, flight 6, frame 6, 1987) (Marshall A-2)
27. Stream in Secs. 29 and 30 (mouth in Sec. 29), T. 11 N., R. 75 W., SM. (Flight 6, roll 1, frame 6, 1987) (Marshall A-2)
28. Stream from Takslesluk Lake (mouth in Sec. 17), in Secs. 17, 18, and 19, T. 11 N., R. 76 W., SM, only. (Flight 6, roll 1, frame 4, 1987) (Marshall A-3)
29. Stream from Takslesluk Lake in Sec. 1, T. 11 N., R. 78 W., SM to its mouth in Sec. 5, in Secs. 1-5. (Roll 7, frame 299, 1980) (Roll 1, flight 7, frame 4, 1987) (Marshall A-3, A-4)

30. Stream in Secs. 6 and 7, T. 11 N., R. 78 W., and Sec. 31, T. 12 N., R. 78 W., SM. (Roll 7, frame 299, 1980)(Roll 1, flight 7, frame 3, 1987) (Marshall A-4)
31. Taklesluk Lake influent, in Sec. 25, T. 12 N., R. 78 W., SM. (Roll 7, frame 299, 1980)(Roll 1, flight 7, frame 5, 1987) (Marshall A-3)
32. Stream in Secs. 28, 29, 32, and 33, T. 12 N., R. 78 W., SM and in Secs. 5 and 8, T. 11 N., R. 78 W., SM. (Roll 7, frame 299, 1980)(Roll 1, flight 7, frames 3 and 4, 1987) (Marshall A-4)

Table 4

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

1. Right fork of Fog River along Native allotment AA-56435, and its left-bank tributary in allotment, in Sec. 30, T. 11 N., R. 64 W., SM. (Flight 6, roll 1, frame 33, 1987) (Russian Mission A-5)
2. Interconnecting slough of Kisaralik River in Native allotment AA-55907 in Secs. 8 and 17, in Native allotment AA-55908 in Secs. 16 and 17, and in Native allotment F-033569 in Secs. 9 and 16, T. 9 N., R. 66 W., SM. (Flight 3, roll 1, frame 31, 1987) (Bethel D-6)
3. Stream in Native allotment F-17363-A in Secs. 4 and 9, heading in lake in Sec. 8, T. 12 N., R. 66 W., SM (mouth in Sec. 15). (Roll 7, frame 279, 1980) (Russian Mission A-6)
4. Slough in Sec. 5, T. 9 N., R. 68 W., SM, in F-17800. (Roll 4, frame 25, 1987)
5. Lake and effluent in Sec 7, T. 9 N., R. 68 W., SM in Native allotment F-029194. (Flight 4, roll 1, frame 25, 1987)
6. Slough in Native allotment F-17206-B in Sec. 30, T. 9 N., R. 68 W., SM. (Flight 3, Roll 1, Frame 26, 1987) (Bethel D-7)
7. Right-bank tributary of Gweek River in Native allotment F-17083 in Sec. 1, T. 10 N., R. 69 W., SM and in Sec. 36, T. 11 N., R. 69 W., SM. (Flight 5, Roll 1, Frames 22, 23, and 24, 1987) (Bethel D-6)
8. Tubungaluk Creek, in Native allotment AA-51614, in Secs. 14 and 15, T. 9 N., R. 70 W., SM. (Flight 3, roll 1, frame 22, 1987) (Bethel D-8)
9. Kukthluk River and its right bank tributary in Native allotment F-14378 in Sec. 30, T. 9 N., R. 72 W., SM. (Flight 3, roll 1, frame 15, 1987) (Baird Inlet D-1)
10. Slough (mouth in Sec. 29, T. 10 N., R. 74 W.,) and its northern tributary in Native allotment F-14961-C, in Sec. 29. (Flight 4, roll 1, frame 10, 1987) (Baird Inlet D-2)
11. Slough with mouth in Kyigayalik Lake in Sec. 6, T. 10 N., R. 75 W., SM in Native allotment AA-18257 in Secs. 4 and 5, T. 10 N., R. 76 W., SM. (Flight 5, roll 1, frame 6, 1987) (Baird Inlet D-2, D-3)
12. Stream (northernmost mouth in Sec. 24, T. 12 N., R. 75 W., SM) through Native allotment F-14256-B in Sec. 7, T. 12 N., R. 74 W., SM; and its left-bank tributary with mouth in Sec. 7, T. 12 N., R. 74 W., SM through Native allotment F-18198-A. (Roll 7, frame 293, 1980) (Marshall A-2)

13. Stream (southernmost mouth in Sec. 24, T. 12 N., R. 75 W., SM) to and through Native allotment F-16567 in Sec. 10, T. 12 N., R. 74 W., SM; its left bank tributary (mouth in Sec. 10) to and through Native allotment F-14386-B in Sec. 12, and its left bank tributary in Sec. 18, T. 12 N., R. 74 W., SM to the middle of Native allotment F-14968-A. (Roll 7, frame 293, 1980)(Roll 1, flight 7, frames 12 and 13, 1987) (Marshall A-1,A-2)
14. Stream in Native allotments F-16337-A, F-14515, and F-15734, in Secs. 29, 30, 31, and 32, T. 12 N., R. 75 W., SM (mouths in Sec. 29 and 31). (Roll 7, frame 294, 1980)(Roll 1, flight 7, frame 9, 1987) (Marshall A-2)
15. Lake and its outlet in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Native allotment F-17534 in Sec. 21, T. 9 N., R. 76 W., SM. (Flight 3, roll 1, frame 5, 1987) (Baird Inlet D-2)
16. Stream (mouths in Secs. 21 and 28, T. 9 N., R. 76 W., SM) in Native allotments F-14561 and F-18258, in Secs. 21 and 28. (Flight 3, roll 1, frame 5, 1987) (Baird Inlet D-3)
17. Interconnecting slough of stream in Sec. 25, T. 10 N., R. 76 W., SM in Native allotment F-15827-A. (Flight 4, roll 1, frame 7, 1987) (Baird Inlet D-2)
18. Stream in Native allotment F-14387-B, in Secs. 25 and 36, T. 12 N., R. 79 W., SM (mouth in Sec. 6, T. 11 N., R. 78 W., SM). (Flight 7, roll 1, frame 2, 1987) (Marshall A-4)

Table 5

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

Seward Meridian

Townships

T. 13 N., R. 62 W.

Bogus Creek and its left-bank tributary from its mouth in Sec. 3, to tributary in S½ Sec. 22.

T. 13 N., R. 63 W.

Bogus Creek.

T. 11 N., R. 64 W.

Tuluksak River. Right fork of Fog River (mouth in Sec. 5) along Native allotment AA-56435 in Sec. 30. Left-bank tributary of right fork of Fog River in Native allotment AA-56435.

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

Bogus Creek. Bogus Creek slough in Secs. 2 and 11. Slough (mouth in Sec. 19), in Secs. 5, 7, 8, 9, 18 and 19. Yukaniluk Creek in Secs. 27, 28, 32, and 33. Kuskokwim River slough in Secs. 3 and 10 (single-lined on USGS map), and branch in Secs. 2, 3, and 11. Kuskokwim River slough (mouth in Sec. 19) to right bank tributary in E¼ of Sec. 12, T. 13 N., R. 65 W., SM.

T. 9 N., R. 65 W.

None.

T. 10 N., R. 65 W.

None.

T. 11 N., R. 65 W.

Lake influent in Sec. 2. Fog River in Secs. 1, 11, and 14 to tributary in E¼W¼ of Sec. 13. Tuluksak River. Mishevik Slough.

T. 12 N., R. 65 W.

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

T. 13 N., R. 65 W.

Gweek River in Secs. 4, 5, 7, and 8. Kuskokwim River slough (mouth in Sec. 19, T. 13 N., R. 65 W.) to right bank tributary in E¼ of Sec. 12.

T. 9 N., R. 66 W.

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

T. 10 N., R. 66 W.

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

T. 11 N., R. 66 W.

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

T. 12 N., R. 66 W.

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

T. 13 N., R. 66 W.

Gweek River.

T. 9 N., R. 67 W.

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

T. 10 N., R. 67 W.

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

T. 11 N., R. 67 W.

None.

T. 12 N., R. 67 W.

Gweek River.

T. 13 N., R. 67 W.

Israthorak Creek to and through Native allotment AA-51769 in Sec. 30.

T. 9 N., R. 68 W.

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

T. 10 N., R. 68 W.

Gweek River.

T. 11 N., R. 68 W.

Gweek River. Left-bank tributary of Gweek River in Sec. 12. Left-bank tributary of Gweek River in Secs. 13 and 24 (mouth in Sec. 14).

T. 12 N., R. 68 W.

Gweek River. Israthorak Creek.

T. 13 N., R. 68 W.

Israthorak Creek.

T. 9 N., R. 69 W.

Gweek River.

T. 10 N., R. 69 W.

Gweek River. Right-bank tributary of Gweek River in Native allotment F-17083 in Sec. 1. Right-bank tributary of Gweek River in NW $\frac{1}{4}$ Sec. 28.

T. 11 N., R. 69 W.

Gweek River. Right-bank tributary of Gweek River in Native allotment F-17083 in Sec. 36.

T. 12 N., R. 69 W.

Israthorak Creek.

T. 9 N., R. 70 W.

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

Tps. 10 and 11 N., R. 70 W.

None.

Tps. 9, 10 and 11 N., R. 71 W.

None.

T. 9 N., R. 72 W.

Kukthluk River and right-bank tributary in Native allotment F-14378 in Sec. 30. Kongeruk River in Sec. 31.

T. 10 N., R. 72 W.

None.

T. 11 N., R. 72 W.

Left-bank tributary of Pikmiktalik River in Secs. 22, 27, 28, 29, and 30.

T. 9 N., R. 73 W.

Johnson River. Left-bank tributary of Pikmiktalik River in Secs. 35 and 36.

T. 10 N., R. 73 W.

None.

T. 11 N., R. 73 W.

Right-bank tributary of Pikmiktalik River in Sec. 23 and 24. Johnson River.

T. 9 N., R. 74 W.

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

T. 10 N., R. 74 W.

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

T. 11 N., R. 74 W.

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

T. 12 N., R. 74 W.

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

T. 9 N., R. 75 W.

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

T. 10 N., R. 75 W.

Johnson River. Right-bank tributary of Johnson River in Secs. 26 and 35. Slough connecting Kyigyalik Lake with an unnamed lake in Sec. 12, including north channel in W $\frac{1}{2}$ Sec. 12. Slough heading in lake, in Secs. 1 and 12 (mouth in E $\frac{1}{4}$ Sec. 12). Slough (mouth in Sec. 22) in E $\frac{1}{4}$ Sec. 15. Right-bank tributary of Johnson River heading in Kyigyalik Lake in Sec. 15 and unnamed lake in Sec. 22, T. 10 N., R. 75 W., SM, emptying into the Johnson River at Kasigluk in Sec. 2, T. 9 N., R. 75 W., SM. Stream heading in Nunavakpak Lake in Sec. 28, T. 9 N., R. 76 W., SM, and emptying into Johnson River tributary in Sec. 22, including interconnecting sloughs in Sec. 21, outside of Native allotment F-14873-A.

T. 11 N., R. 75 W.

Stream in Secs. 7 and 8. Stream in Secs. 29 and 30 (mouth in Sec. 29). Stream in Secs. 20 and 21. Slough in SE $\frac{1}{4}$ Sec. 21.

T. 12 N., R. 75 W.

Stream in Native allotments F-16337-A, F-14515, and F-15734, in Secs. 29, 30, 31, and 32.

T. 9 N., R. 76 W.

Stream heading in Nunavakpak Lake in Sec. 28, T. 9 N., R. 76 W., SM, and emptying into Johnson River tributary in Sec. 22, T. 10 N., R. 75 W., SM. Lake and its outlet in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Native allotment F-17534 in Sec. 21. Stream with mouths in Secs. 21 and 28 in Native allotments F-14561 and F-18258.

T. 10 N., R. 76 W.

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

T. 11 N., R. 76 W.

Stream from Takslesluk Lake (mouth in Sec. 17), in Secs. 17, 18, and 19.

T. 12 N., R. 76 W.

None.

Tps. 9, 10, and 11 N., R. 77 W.

None.

T. 11 N., R. 78 W.

Stream in Secs. 5 and 8 (mouth in Sec. 8). Stream from Takslesluk Lake in Sec. 1, to its mouth in Sec. 5, in Secs. 1-5. Stream in Secs. 6 and 7 (mouth in Sec. 7).

T. 12 N., R. 78 W.

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

T. 12 N., R. 79 W.

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

OWNOWN 5/4/89

KARSTETTER

5/3/89

Bogus Creek
Interim Report
Attachment 8

Russian Mission-GS-FY'89-#5

✓P-14871-EE (75.4)

F-14888-EE (75.4)

F-14949-EE (75.4)

AA-12877 (2620)

AA-12891 (2620)

(961)

Y. G. Hunt 4/22/89

Memorandum

MAY 8 1989

To: Deputy State Director for Cadastral Survey (923)

From: Deputy State Director for Conveyance Management (960)

Subject: Navigable Waters in Group Survey 254 (Window 1834)

This memorandum identifies navigable water bodies below a certain size on lands in Window 1834 (Kalskag and Lower Kalskag) which are selected (but not conveyed) under the Alaska Native Claims Settlement Act (ANCSA), the Statehood Act, or the Native Allotment Act, and not reserved or withdrawn at the time Alaska entered the Union. It also identifies navigable waters excluded from conveyances (TA'd & IC'd) under ANCSA and the Statehood Act. No determinations are made for water bodies in the Yukon Delta National Wildlife Refuge except where they are located in or along claims, or for water bodies along Native allotments in interim-conveyed areas. Also, only those cemetery and historic sites that the BIA has examined in the field are reviewed.

Table 1 lists rivers, streams and sloughs less than three chains wide and lakes less than fifty acres in size excluded in ICs and TAs. Those water bodies determined navigable on selected lands on the basis of photo-interpretation are identified in Table 2. Navigable waters in or along Native allotments identified through aerial photo-interpretation are listed in Table 3. Table 4 lists the navigable water bodies by township.

Streams 198 feet or more in width are not listed in the report because, regardless of their navigability status, they are segregated on the survey plats. The same is true for lakes over fifty acres or more. Most of these meanderable water bodies are listed below:

1. Kuskokwim River.
2. Slough of the Kuskokwim River extending from Sec. 20, T. 17 N., R. 59 W., SM, to Sec. 11, T. 16 N., R. 62 W., SM.

3. Slough in Secs. 19, 20, and 29, T. 17 N., R. 60 W., SM and Secs. 24 and 25, T. 17 N., R. 61 W., SM.
4. Slough of the Kuskokwim from Sec. 22 to Sec. 34, T. 17 N., R. 60 W., SM.
5. Slough in Secs. 15, 16, 20-26, 29-32, T. 16 N., R. 63 W., SM.
6. Slough in Secs. 4-6, 18, 19, 31 and 32, T. 15 N., R. 63 W., SM, and Secs. 1, 12, 13, 24, 25, and 36, T. 15 N., R. 64 W., SM.
7. Discovery Creek in Sec. 36, T. 17 N., R. 60 W., SM.
8. Arhymot Lake.
9. Lake in Sec. 22, T. 17 N., R. 62 W., SM.
10. Israthorak Creek from Kuskokwim River in Sec. 11, T. 14 N., R. 64 W., SM, to the slough entering from the east in Sec. 35, T. 15 N., R. 64 W., SM.
11. Gweek River in S1/2SW1/4, Sec. 31, T. 14 N., R. 64 W., SM.

Water bodies determined navigable in the past, including most of those listed above because of their size, are marked on USGS maps which accompanied interim conveyances. Navigable water bodies were shaded and/or marked with "N's", with lines drawn marking linear courses. A set of these navigability maps is attached for reference. Determinations made under the Gulkana River standard for selected lands are not on these maps, although some of the maps do include shading on selected lands. For selected lands, the primary reference must be this memorandum, not the maps. For example, on the Russian Mission B-4 navigability map Gweek River is marked navigable on ANCSA-selected lands in Secs. 30 and 31, T. 14 N., R. 64 W., SM, but it is now considered non-navigable. The Gweek is essentially dry in photographs. (CIR, roll 7, frames 259 and 260). Interviews conducted by Dot Tideman of the Navigability Section in March, 1989, elicited no specific evidence of use of the Gweek in T. 14 N., R. 64 W., SM, although there are claims of going "all the way up" by using short portages. [See Dorothy A. Tideman to File, March 14, 1989, in file F-14823 (75.4).]

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

Information about the land status, history and physical character of water bodies in the report area comes primarily from the USGS Russian Mission B-3 (1952), B-4 (1954, minor revision 1972), B-5 (1954), C-3 (1952, minor revision 1984), C-4 (1954, minor revision 1972) and C-5 (1952) quadrangles; NASA aerial photographs, roll 2913, frames 6771-6782 (1980); roll 2616, frames 4560-4562 (1978); roll 2911, frames 6383-6388 6458-6461, and 6463 (1980); roll 2911, frames 6383-6388 (1980); roll 7, frames 260-266 (1980); BLM's Master Title Plats, survey plats, Alaska Automated Lands and Minerals Records System (AALMRS), ANCSA easement files, and prior determination memoranda; C. Michael Brown's "Alaska's Kuskokwim River Region: A History" (BLM, unpublished manuscript, 1985). In addition, Edgar A. Earnhart of the Navigability Section contacted the following people:

<u>Name</u>	<u>Date</u>	<u>Phone Number and Background</u>
Wassillie Kameroff	June 14, 23 July 27, 1988	471-2228, Kuskokwim Corp. board member
Krim Evan	June 14, 1988	471-2228, resident of Lower Kalskag
Evan Savage	June 23, 1988	471-2228, resident of Lower Kalskag
George Morgan, Jr.	July 27, 1988	471-2315, Upper Kalskag village and city official
Dennis Strom	August 1, 1988 April 3, 1989	543-3151, A manager of Yukon Delta National Wildlife Refuge
Iftikim Evan	March 23, 1989	471-2270, Native allottee in Lower Kalskag
Mary K. Evan	March 23, 1989	471-2265, widow of Native allottee, Lower Kalskag
Alexander Levi	March 24, 1989	471-2279, Native allottee, Lower Kalskag

Jim Wickes, a manager for the Kuskokwim Corporation, Sarah Wise of Lower Kalskag, and Joe Dementle, Sr., were also contacted but furnished no substantive information. For a complete record of the interviews and contacts, see Edgar A. Earnhart to File, August 4, 1988, March 28, 1989, and April 4, 1989, F-14871-EE (75.4).

Johnson River

This river is well over one hundred miles long. Single-lined on the USGS Russian Mission C-5 quadrangle, the Johnson River meanders south from an unnamed lake, sometimes known as "Grassy Lake," south of Kulik Lake in Sec. 14, T. 18 N., R. 63 W., SM. It is joined by Crooked Creek in Sec. 22, T. 17 N., R. 63 W., SM.

The Johnson is on land selected by Upper Kalskag village in Secs. 14, 15, and 22, T. 17 N., R. 63 W., SM. The BLM identified the river as navigable above Crooked Creek on the water maps which accompanied IC 749. The river was excluded from the survey of T. 17 N., R. 63 W., SM. Hydrography for this township was based on USGS maps.

The Johnson is one of the portage routes between the Yukon and Kuskokwim rivers. Though tending to be difficult to boat, and sometimes containing beaver dams, local residents have used the river for transportation and subsistence. When interviewed in June, 1988, Wassillie Kameroff and Evan Savage of Lower Kalskag told Earnhart that the upper part of the stream has been blocked and a tributary which exits an unnamed lake in Sec. 4, T. 17 N., R. 63 W., SM, is the route used in recent years.

Brown suggested that below Crooked Creek the Johnson River may have been used for boat travel to the Kuskokwim fifteen miles below Bethel. He found little evidence to support such a conclusion. (Brown, pp. 457-458, 532-533.)

Below the mouth of Crooked Creek, the Johnson appears to be open and less sinuous than Crooked Creek. Upstream, it is more crooked than Crooked Creek. The river appears in the BLM's high altitude photographs to be a very narrow stream where it leaves the unnamed lake south of Kulik Lake. It gradually widens to about fifteen feet in Sec. 10, T. 17 N., R. 63 W., SM. Below the mouth of Crooked Creek, it makes many turns for the first mile, but it has a clear channel twelve to fifteen feet wide. (CIR, roll 2911, frames 6457-6458; CIR, roll 2913, frames 6770-6771.) In helicopter and ground photographs taken June 15 and June 23, 1975, the Johnson appears to be twenty to thirty feet wide and free of obstructions. (See Native allotment files F-16534 and F-16347.)

I determine Johnson River navigable through selected lands in T. 17 N., R. 63 W., SM. The determination of 1982 that it is navigable above Crooked Creek is affirmed. The stream is found navigable downstream of the mouth of Crooked Creek on the basis of photographs. Its character is similar but less sinuous than the two streams are above that point. Current residents of Lower Kalskag report it has been boated both above and below the mouth of Crooked Creek.

Throat Creek

On the USGS Russian Mission B-4 and B-5 maps, this unnamed stream flows from the stream draining Whitefish Lake in Sec. 1, T. 15 N., R. 61 W., westerly to the Kuskokwim River in Sec. 16, T. 15 N., R. 63 W., SM. It is double-lined into Sec. 11, T. 15 N., R. 63 W., and has further double-lined segments to Sec. 4, T. 16 N., R. 62 W., SM. Most of the stream is single-lined. The gradient is low. The stream courses through and around numerous small lakes through increasingly wooded land as it approaches the Kuskokwim.

On August 25, 1982, the BLM determined the creek navigable in Secs. 9 and 16, T. 15 N., R. 63 W., SM, and excluded it from IC 745 on the basis that it was used by local villagers with fourteen- to thirty-foot boats. The

streambed was conveyed upstream by IC 745 in Tps. 15 and 16 N., R. 61 W. and in T. 16 N., R. 62 W., SM. Sections 10-12, 14 and 15, T. 15 N., R. 63 W., SM, were TA'd to the State of Alaska on August 5, 1987, with a determination of navigability deferred until patent. The stream remains selected by the village of Lower Kalskag in Secs. 3 and 4, T. 15 N., R. 62 W., SM. (See Robert D. Arnold to Chief, Division of ANCSA and State Conveyances, August 25, 1982, and IC 745, September 30, 1983, F-14888; and Brown, p. 492)

In NASA photographs of July 1980 (CIR 60, roll 2911, frames 6383 through 6386), apparently taken at a time of low water, the stream is about sixty to one hundred feet wide for the first mile and one-half, and varies from about twelve to twenty-five feet wide for the next approximately ten miles. Upstream from Sec. 34, T. 16 N., R. 62 W., SM, the creek is narrower, often nearly obscured by brush, and sometimes filled with vegetation. It is a thin thread near its upper end, barely visible near the northeast corner of Native allotment F-17226-C in Sec. 1, T. 16 N., R. 61 W., SM. It is dry for one-half mile near the Whitefish Lake effluent.

George Morgan, Jr., of Lower Kalskag told Earnhart in 1988 that the twenty-five- to thirty-foot-wide stream is boatable each spring and during rainy periods to a portage in Sec. 1, T. 15 N., R. 61 W., SM. He apparently was not aware of the Native allotments which might have served as reference points, and only described the portage as short.

I determine the locally named Throat Creek navigable in Secs. 10, 11, 12, 14 and 15, T. 15 N., R. 63 W., SM, and in Secs. 3 and 4, T. 15 N., R. 62 W., SM. From the aerial photos, we know that it is wide enough for small boats to and beyond the selected lands. Streams in this area tend to be deep. In fact, George Morgan, Jr., said that the creek can be boated each year to its headwaters near the Whitefish Lake outlet.

Pikmiktalik River

The Pikmiktalik, 180 miles long, is a meandering tributary of the Johnson River which heads in a small lake about six miles south of Kukaklik Lake near Mud Creek. The USGS Russian Mission B-5 and C-5 quadrangles show that it is partly double-lined through the selection area. Like other streams in the area, the Pikmiktalik's gradient is flat. NASA photographs taken in July, 1980 (CIR, roll 2911, frames 6457, 6458 and 6459), show it to vary from about sixty to two hundred feet wide for most of its course in the group survey area. It is narrow and discontinuous in the stretches single-lined on the USGS Russian Mission C-5 and D-5 quadrangles. The single-lined stream connecting the Pikmiktalik and Crooked Creek in Secs. 28 and 29, T. 17 N., R. 62 W., SM, appears to be dry.

The Pikmiktalik is located in four townships in the report area. It crosses ANCSA-selected lands in Secs. 29 and 32, T. 17 N., R. 62 W., SM, Secs. 5 and 6, T. 16 N., R. 63 W., SM, and in Secs. 26, 27 and 34,

T. 16 N., R. 64 W., SM. The BLM determined the river non-navigable in Sec. 28, T. 17 N., R. 62 W., SM (its extreme upper end) in 1982 and conveyed the bed to Upper Kalskag village by IC 749. The Bureau also conveyed the bed in Sec. 4, T. 16 N., R. 63 W., SM, following the same determination of nonnavigability. (See Robert D. Arnold to Chief, Division of ANCSA and State Conveyances, August 25, 1982, and ICs 745 and 749, September 30, 1983, F-14888.)

There is little documentary evidence of use of the Pikmiktalik by boats. Brown found no written record of use of this river in the vicinity of the Kalskags and Tuluksak. The record indicates the stream was part of the Yukon-Kuskokwim portage routes, but all references are to stretches of the river many miles downstream from the group survey area. Native allotment case files indicate that two residents of Lower Kalskag with parcels along the river may have accessed their parcels by boat as early as the 1960's. Mezak Kameroff's allotment (F-16536-D) is in Sec. 35, T. 17 N., R. 63 W., SM, and Mary K. Evan's is in Sec. 32, T. 17 N., R. 63 W., SM, (F-16346, Parcel D) along the upper river. Both allottees use their land for berry picking; Kameroff fishes, hunts, and traps as well. The difficulties of overland travel in this area suggest that water transportation was the only practical means of reaching the allotments for most of these uses, but their locations do not indicate what routes are used. The photographs taken by the BLM field examiner on June 20 and 22, 1975, show wide, lake-like bodies of water.

Wassillie Kameroff and Evan George told Earnhart in 1988 that most people access their spring camps via Mud Slough, the old portage, and Johnson River. Dennis Strom of the Yukon Delta National Wildlife Refuge office in Bethel believes the Pikmiktalik is boatable to its headwaters in spring and fall.

I determine the Pikmiktalik River non-navigable through Secs. 29 and 32, T. 17 N., R. 62 W., Secs. 5 and 6, T. 16 N., R. 63 W., and Secs. 26, 27, and 34, T. 16 N., R. 64 W., SM. It is a slight, discontinuous stream on BLM's aerial photographs. There is no historical record of use in the report area and queries of local people elicited no evidence of use. Two Native allotments, one straddling and one near the partially dry bed of the river, are likely not accessed by this stream. The people Strom observed from the air at various locations in the area likely came by routes other than the Pikmiktalik. Kameroff and Savage do not believe it is boatable by any of the crafts used in the area.

Israthorak Creek

Israthorak Creek is a ninety-mile-long branch of the Kuskokwim which joins the Pikmiktalik River for part of its course. It heads in the Kuskokwim in Sec. 11, T. 14 N., R. 64 W., SM, meandering north, and then west, first through selected lands and then through unselected lands in the survey window. It is double-lined on the USGS Russian Mission B-5 (1954) quadrangle for its first four or five miles, and mostly single-lined through the rest of the Lower Kalskag village selection area. In photographs of July, 1980 (CIR 60, roll 7, frames 259-261), the

Israthorak is over three hundred feet wide where it leaves the Kuskokwim. It narrows to eighty to one hundred feet north of the branch in Sec. 35, T. 15 N., R. 64 W., SM. Becoming more narrow, the Israthorak appears to be dry in Secs. 14, 15 and 23, T. 15 N., R. 64 W., SM. A short branch which heads in Sec. 11, T. 15 N., R. 64 W., SM, and meets the Israthorak in Sec. 35 of the township also appears in the photographs to be dry.

The BLM determined navigable the branch of Israthorak Creek extending from the unnamed slough of the Kuskokwim in S $\frac{1}{4}$ Sec. 31, T. 15 N., R. 63 W., to its confluence with Israthorak Creek in Sec. 35, T. 15 N., R. 63 W., SM, as well as the Israthorak from this branch to the Kuskokwim. It later excluded the bed of the former in Sec. 31, T. 15 N., R. 63 W., SM, and Sec. 36, T. 15 N., R. 64 W., SM, from a conveyance of land to Lower Kalskag. The branch remains selected in Secs. 1 and 2, T. 14 N., R. 64 W. SM, and in Sec. 35, T. 15 N., R. 64 W., SM. (Brown, pp. 493-494 and IC 745, September 30, 1983, F-14888.)

In 1988 Kalskag residents Wassillie Kameroff and Evan Savage told Earnhart that the Israthorak could not be boated by any craft for more than about two miles beyond where the slough enters in Sec. 35, T. 15 N., R. 64 W., SM. They also noted that the slough from the east, though determined navigable and excluded from IC 745 in Sec. 31, T. 15 N., R. 63 W., SM, and in Sec. 36, T. 15 N., R. 64 W., SM, is dry or nearly so for about a mile on its east end and in Sec. 1, T. 14 N., R. 64 W., SM.

I affirm the BLM's past determinations that Israthorak Creek is navigable from the Kuskokwim to the confluence of the unnamed slough of the Kuskokwim in Sec. 35, T. 15 N., R. 63 W., SM. I further determine the creek navigable to the tributary in Sec. 26, T. 15 N., R. 64 W., SM. The stream is over one hundred feet wide most of the way to this point. Two local people identified this as the approximate upper limit for boating.

Slough with mouth in SE $\frac{1}{4}$ Sec. 25, T. 16 N., R. 63 W., SM.

The USGS Russian Mission B-4 quadrangle shows this slough as interconnecting with the Kuskokwim in Sec. 30, T. 16 N., R. 62 W., and Sec. 25, T. 16 N., R. 63 W., SM. The slough was conveyed by IC 745, excepting those portions in Native allotments F-16535 Parcel B in Sec. 25, T. 16 N., R. 63 W., SM, and F-17384 Parcel B in Sec. 30, T. 16 N., R. 62 W., SM. The Native allotments straddle the head and mouth of the slough. Double-lined on the USGS map for most of its three and one-half mile length, it is single-lined through the Native allotments. In NASA photographs it is about two hundred to three hundred feet wide, dry at the upper end, and about fifteen feet wide at its mouth in Sec. 25. Judging from the color of the water in the photographs, the waters of the Kuskokwim back up in the slough nearly to its head (CIR 60, roll 2911, frame 6385, July, 1980).

Evan Savage and Wassillie Kameroff of Lower Kalskag told Ed Earnhart that duck and muskrat hunters take sixteen-foot boats up this slough and portage to nearby lakes. Savage said that he has boated the slough. George Morgan, Jr., said that he and about ten other people also ascend the slough.

I determine this slough navigable in Native allotment F-16535 Parcel B located in Sec. 25, T. 16 N., R. 63 W., SM. It is about fifteen feet wide. It is unobstructed and obviously deep enough for shallow crafts. The slough is used by people to reach portages to the lakes east of it.

Bogus Creek

Bogus Creek originates in lowlands on the northwest side of an extension of the Kilbuck Mountains, a few miles southwest of Whitefish Lake. It meanders fifty miles to the Kuskokwim near Tuluksak. The creek is double-lined from the Kuskokwim to and through Sec. 29, T. 14 N., R. 61 W., SM. (See Russian Mission A-4, A-5, and B-4, and B-5 quadrangles.) Four Native allotments are located on tributary streams above this point. Allotments F-15679, F-15680, F-16348, F-17303-A, and F-16534-D are located on what appears to be the upper part of Bogus Creek coming out of the mountains to the southeast. The BLM's high altitude photographs show that allotment F-16534 D in Sec. 32, T. 14 N., R. 61 W., SM, is on Bogus Creek proper, rather than a tributary as depicted on the USGS maps. Here the creek is on a stream about fifteen feet wide. It is free of any obstructions. The other four allotments appear to be on smaller, discontinuous tributaries of Bogus Creek (CIR 60, roll 7, frames 265 and 266, July, 1980).

Two allottees and the widow of one allottee were contacted. They confirmed the impression from the land reports in the allotment case files that the allotments are accessed by snowmachine for trapping. They are not used in summer. None believed the cluster of allotments in the northeast section of T. 14 N., R. 61 W., SM., were accessible by water. However, Iftikim Evan thought that Elia Evan (deceased) may have gotten to his allotment in Sec. 32, T. 14 S., R. 61 W., SM, by boating up Bogus Creek and using a canoe for the last mile or so. Mary K. Evan, Elia's widow, did not believe her husband traveled to the allotment in the summer, but she did not know how he originally located it. Dennis Strom said that he has no doubt that Bogus Creek is boatable to and through Elia Evan's Native allotment. He said it is a deep tundra stream.

Alexander Levi whose allotment (F-16348) is in Sec. 15, T. 14 N., R. 61 W., SM, said that trails are used to reach the allotments, which are used in beaver trapping and muskrat hunting. Levi did not believe anyone had ever gone to the allotments by boat, including Elia Evan.

I determine Bogus Creek navigable in F-16534 Parcel D located in Sec. 32, T. 14 N., R. 61 W., SM. The stream as shown in NASA high altitude photographs is about fifteen feet wide and free of obstacles at this point and downstream. Iftikim Evan of Lower Kalskag and Dennis Strom, a manager of the Yukon Delta National Wildlife Refuge, who both know the area well, are convinced it can be boated to and through the Native allotment. Alexander Levi apparently lacks firsthand experience with the river downstream of his allotment during the open season.

Miscellaneous Navigable Water Bodies

I determine those water bodies listed in Tables 2 and 3 navigable. The sloughs and streams have little or no gradient and fill during spring breakup and rainy seasons. They are considered navigable if a clear channel is evident in NASA aerial photographs (scale 1:60,000). They are obviously susceptible to use by boaters, at least by canoe or airboat, during periods of high water.

Other Water Bodies

All other water bodies less than the meanderable size are non-navigable. The lakes are partially landlocked. The streams are too shallow, narrow, and/or filled with beaver dams or brush.

Wayne A. Boden

Enclosures:

Tables

Maps

cc:

State of Alaska
Department of Natural Resources
Division of Land and Water Management
State Interest Determinations Unit
P.O. Box 107005
Anchorage, Alaska 99510-7005

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

The Kuskokwim Corporation
429 D Street, Suite 307
Anchorage, Alaska 99501

Calista Corporation
601 West Fifth Avenue, Suite 200
Anchorage, Alaska 99501

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

DM (040)

Chief, Planning and Development (920B)

Chief, Branch of Field Surveys (921)

Chief, Branch of Cartography (922)

Chief, Branch of Photogrammetry (924)

Chief, Branch of Calista Adjudication (963)

961:EEarnhart:ram:04/28/89:1444t

Table 1

Rivers, Streams, and Sloughs Less Than Three Chains Wide
and Lakes Less Than Fifty Acres Excluded from
ICs and TAs in Survey Window 1834 (Kalskag and Lower Kalskag)

1. Branch of Kuskokwim River double-lined on USGS Russian Mission C-4 in Sec. 22, T. 17 N., R. 60 W., SM. (IC 749)
2. Whitefish Lake effluent in Secs. 16, 20, 21, 24 and 36, T. 16 N., R. 61 W., SM, and Sec. 1, T. 15 N., R. 61 W., SM. (Russian Mission B-4) (IC 745)
3. Mud Creek to the NE4NE4, Sec. 26, T. 17 N., R. 62 W., SM, or portion double-lined on USGS Russian Mission C-4 and C-5. (IC 745)
4. Crooked Creek in T. 17 N., R. 62 W., SM. (Russian Mission C-4, C-5) (IC 749)
5. Two lakes in NW4 Sec. 26, T. 17 N., R. 62 W., SM, shown on USGS Russian Mission C-4. (IC 749)
6. Slough in Secs. 17-19, T. 16 N., R. 62 W., SM, and the two southeastern double-lined sloughs which meet the Kuskokwim in Secs. 20 and 30 of the township. (Russian Mission B-4)(IC 745)
7. Tributary of Israthorak Creek, single-lined on USGS Russian Mission B-5, in Sec. 31, T. 15 N., R. 63 W., SM. (IC 745)(This creek disappears in vegetation on aerial photos.)
8. Slough double-lined on USGS Russian Mission B-4 and B-5 in Secs. 23 and 24, T. 16 N., R. 63 W., SM. (IC 745)
9. Slough double- and single-lined on USGS Russian Mission B-4 in Secs. 23-25, T. 16 N., R. 63 W., SM. (IC 745)
10. Double-lined, dead-end slough in Sec. 23, T. 16 N., R. 63 W., SM. (Russian Mission B-4)(IC 745)
11. Dead-end slough of the Kuskokwim River where double-lined on USGS Russian Mission B-5 in Sec. 3, T. 15 N., R. 63 W., SM, and Secs. 26, 27 and 34, T. 16 N., R. 63 W., SM. (IC 745)
12. Dead-end slough of the Kuskokwim in Sec. 3, T. 15 N., R. 63 W., SM, and Secs. 33 and 34, T. 16 N., R. 63 W., SM where double-lined on USGS Russian Mission B-5. (IC 745)
13. Stream (local name Throat Creek) through Secs. 9 and 16, T. 15 N., R. 63 W., SM. (Russian Mission B-5)(IC 745)

14. Sloughs of the Kuskokwim River in Secs. 19, 20 and 30, T. 14 N., R. 63 W., SM, and Secs. 22, 26, 27, 34, and 35, T. 14 N., R. 64 W., SM. (Russian Mission B-5)(IC 745)
15. Single-lined slough of the Kuskokwim River in Secs. 20, 21 and 29, T. 14 N., R. 64 W., SM. (Russian Mission B-4)(IC 542)
16. Single-lined slough of the Kuskokwim River in the lower half of Secs. 32 and 33, T. 14 N., R. 64 W., SM, and its northerly mouth. (Russian Mission B-4)(IC 542)
17. All portions of lake double-lined on USGS map in Secs. 8, 9, 16, and 17, T. 16 N., R. 62 W., SM. (Russian Mission C-4) (IC 745)
18. Two small, elongated lakes in SE4SE4, Sec. 8, T. 16 N., R. 62 W., SM. (IC 745)

Table 2

Navigable Waters on Selected Lands in Survey Window 1834
(Kalskag and Lower Kalskag) Identified by
Aerial Photo-Interpretation

1. Dead-end slough of Kuskokwim in Sec. 1, T. 16 N., R. 61 W., SM. (Russian Mission C-3, C-4) (CIR, roll 2911, frames 6460 and 6461, July 1980)
2. Interconnecting slough of the Kuskokwim River from the mouth of Israthorak Creek in Sec. 11, T. 14 N., R. 64 W., SM, through Secs. 8, 9, 10, 17, T. 14 N., R. 64 W., SM. (Russian Mission B-5) (CIR, roll 7, frames 259 and 260, July, 1980)
3. Slough in N2 Sec. 25, T. 17 N., R. 60 W., SM. (Russian Mission C-4) (CIR roll 2913, frame 6775, July, 1980)
4. Slough in Secs. 27 and 34, T. 17 N., R. 60 W., SM. (Russian Mission C-3 and C-4) (CIR, roll 2911, frame 6461, July, 1980)
5. Slough in S1/2 Sec. 25, T. 14 N., R. 64 W., SM. (Russian Mission B-5) (CIR, roll 7, frames 260 and 261, July, 1980))
6. Part of Israthorak Creek tributary double-lined on USGS map in Sec. 35, T. 15 N., R. 64 W., SM. (Russian Mission B-5) (CIR, roll 7, frame 260, July, 1980)

Table 3
Navigable Waters in Native Allotments

1. Bogus Creek through Native allotment F-16534 Parcel D, Sec. 32, T. 14 N., R. 61 W., SM (CIR, roll 7, frame 265, July, 1980)
2. Stream feeding into Arhymot Lake (mouth in Sec. 10), two left bank tributaries in Secs. 34 and 35, T. 19 N., R. 61 W., SM, and Sec. 2, T. 18 N., R. 61 W., SM, within F-17385 Parcel A. (CIR, roll 2913, frames 6779 and 6780, July, 1980)
3. Slough in F-16535 Parcel B in SE1/4 Sec. 25, T. 16 N., R. 63 W., SM. (CIR, roll 2911, frames 6385 and 6386, July, 1980)
4. Slough through Native allotment F-17226 Parcel A, Sec. 3, T. 15 N., R. 63 W., SM, and Sec. 34, T. 16 N., R. 63 W., SM. (CIR, roll 2911, frame 6386, July, 1980)
5. Two sloughs entering the Kuskokwim River in Native allotment F-17371, Sec. 29, T. 14 N., R. 64 W., SM. (CIR, roll 7, frame 250, July, 1980)

Table 4

Navigable Rivers and Streams Less Than 198 Feet Wide
and Lakes Less Than 50 Acres in Size in Survey Window 1834
(Kalskag and Lower Kalskag)

Seward Meridian

T. 17 N., R. 60 W.

Branch of Kuskokwim River slough in Secs. 22, 27, and 34; slough of Kuskokwim in Secs. 24 and 25; interconnecting slough of the Kuskokwim in Secs. 19, 20 and 29; double-lined portion of slough in SE4 Sec. 29. (Russian Mission C-3, C-4)

Tps. 18 and 19 N., R. 60 W.

None.

T. 14 N., R. 61 W.

Bogus Creek in Native allotment F-16534-D, in Sec. 32 (Russian Mission B-4)

T. 15 N., R. 61 W.

Whitefish Lake effluent in Sec. 1. (Russian Mission B-4)

T. 16 N., R. 61 W.

Dead-end slough in Sec. 1; Whitefish Lake effluent in Secs. 16, 20, 21, 24, 25-28, and 36 (8/25/82). (Russian Mission B-4)

T. 17 N., R. 61 W.

Interconnecting slough of the Kuskokwim in Secs. 24 and 25. (Russian Mission C-4)

T. 18 N., R. 61 W.,

Stream emptying into Arhymot Lake and its left bank tributary in Native allotment F-17385-A in Sec. 2. (Russian Mission C-4)

T. 19 N., R. 61 W.,

Stream emptying into Arhymot Lake and its left bank tributary in Native allotment F-17385-A in Secs. 34 and 35. (Russian Mission C-4)

T. 14 N., R. 62 W.

None.

T. 15 N., R. 62 W.

Throat Creek in Secs. 3 and 4. (Russian Mission B-4)

T. 16 N., R. 62 W.

Mud Creek; double-lined portions of lake in Secs. 8, 9, 16, and 17; slough in Sec. 17-19 and its two left bank double-lined branches in Sec. 19; and two small, elongated lakes in SE4SE4 Sec. 8. (Russian Mission B-4, B-5, C-4, C-5)

T. 17 N., R. 62 W.

Mud Creek to the NE4NE4 Sec. 26; two portage lakes in NW4 Sec. 26; Crooked Creek. (Russian Mission C-4, C-5)

T. 18 N., R. 62 W.

None.

T. 14 N., R. 63 W.

Slough in Secs. 19, 20, and 30.

T. 15 N., R. 63 W.

Throat Creek in Secs. 9-12, 14-16 (TA); Israthorak Creek tributary in Sec. 31; slough in Sec. 3, and in Secs. 26, 27, and 34, T. 16 N., R. 63 W., SM, slough in Sec. 3 and in Secs. 33 and 34, T. 16 N., R. 63 W. (Russian Mission B-5)

T. 16 N., R. 63 W.

Mud Creek; slough in Secs. 23 and 24; Kuskokwim River slough in Native allotment F-16535 Parcel B, in SE4 Sec. 25; slough double-lined and single-lined in Secs. 23-25; double-lined dead-end slough in Sec. 23; slough in Secs. 26, 27, and 34, and in Sec. 3, T. 15 N., R. 63 W.; slough in Secs. 33 and 34, and in Sec. 3, T. 15 N., R. 63 W. (Russian Mission B-4, B-5, C-4, C-5)

T. 17 N., R. 63 W.

Johnson River in Secs. 14, 15 and 22; and Crooked Creek in Secs. 22 and 23. (Russian Mission C-5)

T. 14 N., R. 64 W.

Slough of Kuskokwim from its head in Sec. 21 through Secs. 20 and 29 to Kuskokwim in Sec. 29 (and in Native allotment F-17371); slough from mouth of Israthorak Creek to Kuskokwim River through Secs. 8, 9, 10 and 17, and Native allotment F-17371, in Sec. 29; slough through Secs. 1 and 2 (it enters Israthorak Creek from the east in Sec. 35, T. 15 N., R. 64 W.); sloughs in Secs. 22, 25, 26, 27, 34 and 35; single-lined slough in lower half of Secs. 32 and 33, and its northerly mouth. (Russian Mission B-5)

T. 15 N., R. 64 W.

Israthorak Creek to tributary in Sec. 26; Israthorak Creek tributary in Sec. 35 (portion double-lined on map only) and in Sec. 36. (Russian Mission B-5)

T. 16 N., R. 64 W.

None.

T. 15 N., R. 65 W.

None.



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
ALASKA STATE OFFICE
222 W. 7th Avenue, #13
ANCHORAGE, ALASKA 99513-7509

Bogus Creek
Interim Report
Attachment 9

2628 (980)

DEC 13 1995
1995

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

Dear Mr. Rearden:

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

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

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

2

By law, once the riparian lands have been conveyed, as with an interim conveyance to a Native corporation, the United States no longer has any right, title, or interest in the submerged lands (Public Law 100-395). Thus, in cases like the Kwethluk River, which does not meet the meander size criteria, the BLM has no authority on its own initiative to revisit the issue of the river's navigability where the riparian lands have been conveyed out of Federal ownership. However, this action could be undertaken if both the surface owner and subsurface owner request it. By authority of Section 316 of the Federal Land Policy and Management Act of 1976 (Public Law 94-579) and Department regulations (49 CFR 1865), the BLM may reconsider a previous administrative determination of navigability or non-navigability. If navigable, the river would be meandered and the submerged lands excluded from the patent. If non-navigable, the river would not be meandered. Again, however, this action requires the agreement of both the surface and subsurface owners. In the Kuskokwim River region, several village corporations, as well as the Calista Corporation, have chosen not to avail themselves of this option.

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

Sincerely,



C. Michael Brown
Navigable Waters Specialist

Enclosure

Navigability Status Report (5 pp)

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

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

Bogus Creek

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

In 1989, the BLM confirmed that Bogus Creek is navigable through the Tuluksak village selection area; that is, in Secs. 1 and 12, T. 13 N., R. 64 W., and in T. 13 N., R. 62 and 63 W., SM. However, in the course of examining Native allotment selections, it found that the creek is navigable as far upstream as the Native allotment, F-18534 Parcel D, located in Sec. 32, T. 14 N., R. 61 W., SM. (On the USGS map, this stream is shown as a tributary of Bogus Creek. In aerial photos, this stream appears to be the main channel of Bogus Creek.) This is the uppermost point of the creek that we have considered for navigability.

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

1. The right bank tributary in Secs. 2 and 11, T. 13 N., R. 64 W., SM (excluded from IC 542 and 543).
2. The left bank tributary of Bogus Creek from its mouth in Sec. 3 to tributary in S½ Sec. 22, T. 13 N., R. 62 W., SM.

Tuluksak River

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

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

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

2. Right bank tributary of Tuluksak River in Sec. 26, T. 12 N., R. 65 W., SM. Only the portion in Section 26 was examined and found navigable.
3. The slough and lake system which extends from the Tuluksak River in Sec. 36, T. 12 N., R. 65 W., to Mishevik Slough in Sec. 32, T. 12 N., R. 65 W., SM.
4. Fog River in Secs. 1, 11, and 14 to tributary in E $\frac{1}{4}$ W $\frac{1}{4}$ of Sec. 13, T. 11 N., R. 65 W., SM and Sec. 36, T. 12 N., R. 65 W., SM.
5. Right fork of Fog River along Native allotment AA-58435 and its left bank tributary in allotment in Sec. 30, T. 11 N., R. 64 W., SM.

Kasigluk River and Little Kasigluk River

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

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

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

Kisaralik River

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

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

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

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

✓ Kwethluk River

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

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

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

✓ Akulikutak River

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

✓ Gweek River

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

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

1. Left-bank tributary in Sec. 12, T. 11 N., R. 68 W., SM.
2. Left-bank tributary in Secs. 13 and 24 (mouth in Sec. 14), T. 11 N., R. 68 W., SM.
3. Right-bank tributary in Native allotment F-17083 in Sec. 1, T. 10 N., R. 69 W., SM.
4. Right-bank tributary in NW¼ Sec. 28, T. 10 N., R. 69 W., SM.
5. Right-bank tributary in Native Allotment F-17083 in Sec. 36, T. 11 N., R. 69 W., SM.

✓ Eek River

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

1. A lake and its outlet in Sec. 3, T. 1 N., R. 72 W., SM.
2. A slough in Secs. 16-20, T. 2 N., R. 7 W., SM.
3. A slough in Sec. 36, T. 2 N., R. 74 W., to second tributary on right (looking upstream).

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

The United States of America

Corrected Interim Conveyance

F-14949-A

This document corrects Interim Conveyance No. 542, dated August 27, 1982, recorded as document 2006-000863-0 in the Bethel Recording District and recorded as document 2006-000088-0 in the Kuskokwim Recording District and is issued by the UNITED STATES, Department of the Interior, Bureau of Land Management, 222 West Seventh Avenue, #13, Anchorage, Alaska 99513-7599, as GRANTOR, to Tulkisarmute, Incorporated, P.O. Box 65, Tuluksak, Alaska 99679, as GRANTEE, for lands in the Bethel and Kuskokwim Recording Districts.

WHEREAS

Tulkisarmute Incorporated

is entitled to receive a corrected interim conveyance pursuant to Sec. 18(d) of the Alaska Native Claims Settlement Act of December 18, 1971, as amended by Sec. 301 of the Alaska Land Transfer Acceleration Act of December 10, 2004, 43 U.S.C. § 1617(d). This corrected interim conveyance is issued for the limited purpose of excluding the Native allotment parcels listed below from the lands transferred by Interim Conveyance No. 542.

<i>Serial No.</i>	<i>Applicant Name</i>	<i>Legal Description</i>
AA-53058	Charles E. Peter	U.S. Survey 10238
AA-55937 A	Edward Wise	Lot 2, U.S. Survey 10068
AA-56433	Ida Napoka	Lot 1, U.S. Survey 10260
AA-56434	Herman Hawk	Lot 1, U. S. Survey 10492
AA-56436	Peter Waskie	Lot 2, U. S. Survey 10503
AA-58527	Bessie Peter	Lot 1, U. S. Survey 10254
F-16119	William Napoka	Lot 2, U. S. Survey 10492
F-17545	Maggie Andrew	Lot 3, U. S. Survey 10066
F-025272	Paul Hawk	Secs. 21, 22 and 27, T. 13 N., R. 64 W., SM.
F-033635	Anna Fly	Secs. 27 and 28, T. 11 N., R. 66 W., SM.

THEREFORE, Interim Conveyance No. 542 is corrected in part to read:

Seward Meridian, Alaska

T. 13 N., R. 64 W.,
 Sec. 2, excluding U.S. Survey 10492;
 Sec. 11, excluding U.S. Survey 10492;
 Sec. 17, excluding U.S. Survey 10503;
 Sec. 18, excluding U.S. Survey 10346 and
 U.S. Survey 10503;
 Sec. 19, excluding U.S. Survey 10346 and
 U.S. Survey 10503;
 Sec. 20, excluding U.S. Survey 10503;
 Sec. 21, excluding U.S. Survey 10492 and
 Native allotment F-025272;
 Sec. 22, excluding U.S. Survey 10492 and
 Native allotment F-025272;
 Sec. 27, excluding U.S. Survey 10492 and
 Native allotment F-025272.

T. 14 N., R. 64 W.,
 Sec. 21, excluding U.S. Survey 10068;
 Sec. 22, excluding U.S. Survey 10068;
 Sec. 33, excluding U.S. Survey 10066.

T. 12 N., R. 65 W.,
Sec. 15, excluding U.S. Survey 10254;
Sec. 22, excluding U.S. Survey 10254.

T. 11 N., R. 66 W.,
Sec. 3, excluding U.S. Survey 10260 and
Native allotment 17373;
Sec. 4, excluding U.S. Survey 10260;
Sec. 21, excluding Native allotment F-033635;
Sec. 22, excluding Native allotment F-033635;
Sec. 27, excluding Native allotment F-033635;
Sec. 28, excluding Native allotment F-033635.

T. 12 N., R. 66 W.,
Sec. 22, excluding U.S. Survey 10238;
Sec. 23, excluding U.S. Survey 10238;
Sec. 26, excluding U.S. Survey 4435 and
U.S. Survey 10238;
Sec. 27, excluding U.S. Survey 875, U.S. Survey 3797,
U.S. Survey 4435 and U.S. Survey 10238;
Sec. 33, excluding U.S. Survey 3797, U.S. Survey 10236,
U.S. Survey 10260 and Native allotments F-17363 and
F-17373;
Sec. 34, excluding U.S. Survey 3797, U.S. Survey 4435,
U.S. Survey 10260 and Native allotments F-17363 and
F-17373.

This correction affects only the above-listed sections. The remainder of Interim
Conveyance No. 542 remains unchanged and in full force and effect.

IN WITNESS WHEREOF, the undersigned authorized officer of the Bureau of Land Management has, in the name of the United States, set her hand and caused the seal of the Bureau to be hereunto affixed on this 27th day of June, 2006, in Anchorage, Alaska.

UNITED STATES OF AMERICA

Ramona Chinn

Ramona Chinn
Acting State Director

Return Recorded Document to:
Tulkisarmute, Incorporated
P.O. Box 65
Tuluksak, Alaska 99679

The United States of America

Corrected Interim Conveyance

F-14949-A

This document corrects Interim Conveyance No. 543, dated August 27, 1982, recorded as document 2006-000864-0 in the Bethel Recording District and recorded as document 2006-000089-0 in the Kuskokwim Recording District and is issued by the UNITED STATES, Department of the Interior, Bureau of Land Management, 222 West Seventh Avenue, #13, Anchorage, Alaska 99513-7599, as GRANTOR, to Calista Corporation, 301 Calista Court, Suite A, Anchorage, Alaska 99518-3028, as GRANTEE, for lands in the Bethel and Kuskokwim Recording Districts.

WHEREAS

Calista Corporation

is entitled to receive a corrected interim conveyance pursuant to Sec. 18(d) of the Alaska Native Claims Settlement Act of December 18, 1971, as amended by Sec. 301 of the Alaska Land Transfer Acceleration Act of December 10, 2004, 43 U.S.C. § 1617(d). This corrected interim conveyance is issued for the limited purpose of excluding the Native allotment parcels listed below from the lands transferred by Interim Conveyance No. 543.

<i>Serial No.</i>	<i>Applicant Name</i>	<i>Legal Description</i>
AA-53058	Charles E. Peter	U.S. Survey 10238
AA-55937 A	Edward Wise	Lot 2, U.S. Survey 10068
AA-56433	Ida Napoka	Lot 1, U.S. Survey 10260
AA-56434	Herman Hawk	Lot 1, U. S. Survey 10492
AA-56436	Peter Waskie	Lot 2, U. S. Survey 10503
AA-58527	Bessie Peter	Lot 1, U. S. Survey 10254
F-16119	William Napoka	Lot 2, U. S. Survey 10492
F-17545	Maggie Andrew	Lot 3, U. S. Survey 10066
F-025272	Paul Hawk	Secs. 21, 22 and 27, T. 13 N., R. 64 W., SM.
F-033635	Anna Fly	Secs. 27 and 28, T. 11 N., R. 66 W., SM.

THEREFORE, Interim Conveyance No. 543 is corrected in part to read:

Seward Meridian, Alaska

T. 13 N., R. 64 W.,
 Sec. 2, excluding U.S. Survey 10492;
 Sec. 11, excluding U.S. Survey 10492;
 Sec. 17, excluding U.S. Survey 10503;
 Sec. 18, excluding U.S. Survey 10346 and
 U.S. Survey 10503;
 Sec. 19, excluding U.S. Survey 10346 and
 U.S. survey 10503;
 Sec. 20, excluding U.S. Survey 10503;
 Sec. 21, excluding U.S Survey 10492 and
 Native allotment F-025272;
 Sec. 22, excluding U.S. Survey 10492 and
 Native allotment F-025272;
 Sec. 27, excluding U.S. Survey 10492 and
 Native allotment F-025272.

T. 14 N., R. 64 W.,
Sec. 21, excluding U.S. Survey 10068;
Sec. 22, excluding U.S. Survey 10068;
Sec. 33, excluding U.S. Survey 10066.

T. 12 N., R. 65 W.,
Sec. 15, excluding U.S. Survey 10254;
Sec. 22, excluding U.S. Survey 10254.

T. 11 N., R. 66 W.,
Sec. 3, excluding U.S. Survey 10260 and
Native allotment 17373;
Sec. 4, excluding U.S. Survey 10260;
Sec. 21, excluding Native allotment F-033635;
Sec. 22, excluding Native allotment F-033635;
Sec. 27, excluding Native allotment F-033635;
Sec. 28, excluding Native allotment F-033635.

T. 12 N., R. 66 W.,
Sec. 22, excluding U.S. Survey 10238;
Sec. 23, excluding U.S. Survey 10238;
Sec. 26, excluding U.S. Survey 4435 and
U.S. Survey 10238;
Sec. 27, excluding U.S. Survey 875, U.S. Survey 3797,
U.S. Survey 4435 and U.S. Survey 10238;
Sec. 33, excluding U.S. Survey 3797, U.S. Survey 10236,
U.S. Survey 10260 and Native allotments F-17363 and
F-17373;
Sec. 34, excluding U.S. Survey 3797, U.S. Survey 4435,
U.S. Survey 10260 and Native allotments F-17363
and F-17373.

This correction affects only the above-listed sections. The remainder of Interim
Conveyance No. 543 remains unchanged and in full force and effect.

IN WITNESS WHEREOF, the undersigned authorized officer of the Bureau of Land Management has, in the name of the United States, set her hand and caused the seal of the Bureau to be hereunto affixed on this 27th day of June, 2006, in Anchorage, Alaska.

UNITED STATES OF AMERICA

Ramona Chinn

Ramona Chinn
Acting State Director

Return Recorded Document to:
Calista Corporation
301 Calista Court, Suite A
Anchorage, Alaska 99518-3028



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Alaska State Office
222 W. 7th Avenue, #13
Anchorage, Alaska 99513-7599
<http://www.ak.blm.gov>



**Bogus Creek
Interim Report
Attachment 11**

9600 (927) rss/klf

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

AUG 15 2006

Memorandum

To: Chief, Branch of Survey Planning and Preparation (927)
From: Chief, Navigability Section (927)
Subject: Navigable Waters within the Tuluksak Village Project Area

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

The Appendix lists the 11 townships in the survey project area, and, for each township, the navigable water bodies and the dates of previous determinations. Water bodies not listed in the Appendix are not navigable as they are too short, steep, narrow, or shallow for travel, trade and commerce. All but one of the townships have been surveyed and the navigable waters accurately depicted on the survey plats with one exception. The Gweek River was determined navigable from where it flows from and back into the Kuskokwim River as stated in the State Director Memorandum dated June 9, 1981. It appears supplemental survey plats are necessary on certain townships to meander the Gweek River including Tps. 13 and 14 N., R. 64 W., and T. 13 N., R. 65 W., Seward Meridian. The request for supplemental plats will follow this determination.

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

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

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

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

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

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

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

Dominica VanKoten

Attachment:

Appendix

cc:

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

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

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

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

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

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

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

Chief, Branch of Lands and Realty (932)

Chief, Branch of Preparation and Resolution (962)

Chief, Branch of Adjudication II (964)

Anchorage Field Office (040)

Rory Spurlock (927)

Rodney Harvey (954C)
(Electronic Copy)

Group File Nos. 254, 268 and 999

Groups 254, 268 and 999 (Field packets)

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

Dominica Van Koten (927)

Mike Bennett (964)

K. J. Mushovic (961)

Appendix

Navigable Waters Within the Tuluksak Village Project Area

Seward Meridian, Alaska

T. 11 N., R. 64 W.

Sec. 14 (Native allotment application F-16118)

No navigable waters

Secs. 22 and 23 (Native allotment application F-18778)

Tuluksak River (05/22/85)

Secs. 26 and 35 (Native allotment application F-16120)

Tuluksak River (05/22/85)

T. 12 N., R. 64 W.

Secs. 6, 7, and 18

No navigable waters

T. 13 N., R. 64 W.

Secs. 1, 6, 7, 12, 13, 24-26, and 34-36

Bogus Creek, Little Bogus Creek, Yukaniluk Creek, and Gweek River (06/09/81)

Secs. 21, 22, and 27 (Native allotment application F-025272)

No navigable waters (06/09/81)

Secs. 2-5, 8-11, 14-23, and 27-33 (IC 542)

Kuskokwim River, Gweek River, Bogus Creek, Little Bogus Creek, and Yukaniluk Creek (06/09/81)

T. 14 N., R. 64 W.

Secs. 19, 25, 30, 31, 36

Gweek River and interconnecting slough of the Kuskokwim River (06/09/81)

Secs. 20-24, 26-29, and 32-35 (IC 542)

Kuskokwim River (06/09/81)

T. 11 N., R. 65 W.

Sec. 1

Tuluksak River (06/09/81)

Secs. 2-8 (IC 542)

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

Secs. 9-36 (TA, AA-12890)

No navigable waters

T. 12 N., R. 65 W.Secs. 1 and 12

No navigable waters

Secs. 2, 3, 10, 11, 13, 14, 23-26, 35 and 36

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

Secs. 4-9, 15-22, and 27-34 (IC 542)

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

T. 13 N., R. 65 W.Secs. 1-12, 14-18, and 20-23

Gweek River (06/09/81)

Secs. 13, 19, and 24-36 (IC 542)

Kuskokwim River and Gweek River (06/09/81)

T. 11 N., R. 66 W.Secs. 1-23, and 26-34 (IC 542)

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

T. 12 N., R. 66 W.Secs. 1-36 (IC 542)

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

Lots 4 and 5, U.S. Survey No. 4435 within Secs. 26 and 27 (IC 1123)

No navigable waters (09/06/83)

T. 11 N., R. 67 W.Secs. 1, 12, 13, 24, 25, and 36 (IC 542)

Kuskokwim River (06/09/81)

T. 12 N., R. 67 W.Secs. 1, 12, 13, 24, 25, and 36 (IC 542)

No navigable waters (06/09/81)



United States Department of the Interior

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



9600 (927) rss/klf

Russian Mission-VS-FY2007
F-14902-A (2651)
F-14902-A2 (2651)
F-14902-EE (75.04)
F-10427 (2653)

ALASKA DEPT. OF
FISH & GAME
MAY 3 - 2007

MAY 01 2007

Memorandum

To: Chief, Branch of Survey Planning and Preparation (927)
From: Chief, Navigability Section (927)
Subject: Navigable Waters within Group Survey No. 1019

This memorandum identifies navigable waters on certain surveyed and unsurveyed lands within three townships, including prioritized ANCSA-selected lands within Group Survey No. 1019 located in the Calista Region. These lands, located within the Yukon Delta National Wildlife Refuge, were prioritized for conveyance by Napaskiak Incorporated to meet their final entitlement acreage. The authority to identify navigable waters on selected lands rests in the Native Allotment Act, the Alaska Statehood Act, and the Alaska Native Claims Settlement Act.

The Appendix lists the three townships addressed by this report. For each township, the navigable waters, if any, are identified. If water bodies are not listed in the Appendix, they are non-navigable as they are either landlocked, too short, steep-in-gradient, narrow, or shallow for travel, trade and commerce.

The State Director (SD) Memorandum of February 2, 1982, for the village of Napaskiak was not used in this report as information contained in the corporation selection and easement case files indicate that the subject lands were not included in the analysis and resulting document. The Navigability Determination for Group Survey No. 268 (Window 1836) dated May 8, 1989, containing navigability information on the subject lands was not used in this report as the subject document identified navigable water bodies on ANCSA-selected lands based solely on aerial photo-interpretation.

Information used in making our determination was gathered from Status Plats, Survey Plats, USGS Topographic Maps, Aerial Photos (CIR and BW), On-Site Field Reports and Photos (ANCSA 14(h)(1) and Native Allotment), Interview Reports, and previous Navigability Determinations, in particular Bogus Creek both upstream and downstream of the report area.

The USGS Topographic Maps as confirmed by the Aerial Photos of the subject lands reflected abundant landlocked lakes and ponds and short narrow streams demonstrating no continuous transportation corridor, other than Bogus Creek. The subject maps and photos reflected Bogus Creek as a continuous, medium-to-high meandering, deep-channeled creek from its mouth in Sec. 11, T. 13 N., R. 64 W., upstream to the juncture in Sec. 29, T. 14 N., R. 61 W., Seward Meridian. On-site photos taken during a Bureau of Indian Affairs field investigation for ANCSA 14(h)(1) application AA-10427 located in Sec. 3, T. 13 N., R. 62 W., Seward Meridian, indicated a deep-channeled, free-flowing creek. More on-site photos taken during a Bureau of Land Management field examination of Native allotment F-16534, Parcel D, located upstream in Sec. 32, T. 14 N., R. 61 W., Seward Meridian, also reflected a deep-channeled creek free of obstructions.

Interview reports dated March 28 and April 4, 1989, added use information to the analysis. Dennis Stromm, Assistant Manager of the Yukon Delta National Wildlife Refuge; Ifikim Evan and Alexander Levi, two Native allottees; and Mary K. Evan, widow of allottee Elia Evan, were interviewed. Mr. Stromm stated that the creek was wide and clear for a long distance up, tapering down for about two-thirds of its length, to a very narrow stream, less than fifteen feet wide. He further stated that the creek, like other streams in the area, was quite deep, its depth to be measured in feet, not inches. Mr. Stromm was asked whether Elia Evan's Native allotment located in Sec. 32, T. 14 N., R. 61 W., Seward Meridian, could be reached by boat coming up Bogus Creek at which he answered without a doubt it could be. He did not believe any of the side-streams were regularly boatable. Mary K. Evan stated that her husband had used his allotment lands for trapping beaver. Her statements concerning access to the allotment were unclear. Both Ifikim Evan and Alexander Levi provided additional information concerning Bogus Creek further upstream beyond Sec. 32. Both access their allotments upstream by snowmachine during the winter and spring months for trapping beaver. Both stated that they believed that their allotments could not be accessed by boat, as this stretch of Bogus Creek contained abundant beaver dams creating an impractical water route.

The SD Memorandum dated June 9, 1981, for the village of Tuluksak, stated that Bogus Creek was navigable through the corporation's selection area which would be from its mouth in Sec. 11, to the eastern boundary of Sec. 12, T. 13 N., R. 64 W., Seward Meridian. Based on the information provided in the above paragraphs, we determine Bogus Creek navigable from its mouth to the northern boundary of Sec. 3, T. 13 N., R. 62 W., Seward Meridian, the edge of Napaskiak Incorporated selection. All other water bodies within the subject ANCSA-selected lands are determined to be non-navigable based on the presence of landlocked lakes and short, narrow streams providing no continuous transportation corridor.

Final entitlement survey is scheduled for these lands in FY-2007. Two of the three townships listed in the Appendix have been surveyed. The survey plats have been reviewed in accordance with the results found in this determination. It appears that a supplemental plat will be necessary for T. 13 N., R. 62 W., Seward Meridian, to reflect the navigability of Bogus Creek extending to the township boundary, specifically the northern boundary of Sec. 3.

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

Natalie M. Cooper
Acting

Attachment:

Appendix

cc:

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

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

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

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

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

Napaskiak Incorporated
P.O. Box 6069
Napaskiak, Alaska 99559-0069

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

Chief, Branch of Lands and Realty (932)

Chief, Branch of Preparation and Resolution (962)

Chief, Branch of Adjudication II (964)

Anchorage Field Office (040)

Rory Spurlock (927)

Maria Rivero-Folmar (954C)
(Electronic Copy)

Group File No. 1019

Group 1019 (Field packet)

Dominica Van Koten (927)

K. J. Mushovic (961)

Appendix**Navigable Waters
Within Lands Encompassing
Group Survey No. 1019****Seward Meridian, Alaska****T. 13 N., R. 62 W.****Secs. 3-10, 15-22, and 27-34****Bogus Creek****T. 12 N., R. 63 W.****Secs. 1-3, 10-15, 22-24, and 27****No navigable waters****T. 13 N., R. 63 W.****Secs. 1-18****Bogus Creek**

To: Land Transfer (960)

JUN 13 2008

From: Navigability Section (927)

Subject: Navigability Input for Inclusion in Decision to Issue Conveyance (DIC)
Within Window No. 2683 for the Village of Tuluksak

Village/Region Name: **Tuluksak (F-14949-A, F-14949-A2, F-14949-EE)**

Navigability Determinations/Dates: Final Easements for the Village of Tuluksak dated June 9, 1981; Navigable Waters within the Tuluksak Village Project Area dated August 15, 2006

Seward Meridian

T. 12 N., R. 64 W.,
Secs. 6, 7, and 18.
No navigable waters

T. 13 N., R. 64 W.,
Secs. 1, 6, 7, 12, 13, 24-26, and 34-36.
Bogus Creek
Little Bogus Creek from its confluence with the Tuluksak River upstream,
including the Yukaniluk Creek, and into the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 35, T. 13 N.,
R. 64 W., SM
Gweek River

All other named and unnamed water bodies within the above-described selection have been determined non-navigable.

T. 14 N., R. 64 W.,
Secs. 19, 25, 30, 31, and 36.
Gweek River
Interconnecting slough of the Kuskokwim River

All other named and unnamed water bodies within the above-described selection have been determined non-navigable.

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

All other named and unnamed water bodies within the above-described selection have been determined non-navigable.

T. 12 N., R. 65 W.,

Secs. 1-3, 10-14, 23-26, 35, and 36.

Tuluksak River

Little Bogus Creek

**Unnamed slough and lake system flowing from Tuluksak River in Sec. 36, to its
confluence with the Mishevik Slough in Sec. 32, T. 12 N., R. 65 W., SM**

All other named and unnamed water bodies within the above-described selection have
been determined non-navigable.

T. 13 N., R. 65 W.,

Secs. 1-12, 14-18, and 20-23.

Gweek River

All other named and unnamed water bodies within the above-described selection have
been determined non-navigable.


Navigability Section Signature/Date

6/4/08
CW 6/4/08

To: Navigability Section (920)

From: Land Transfer (960)

Subject: Navigability Input for Inclusion in Decisions to Issue Conveyance (DIC) *(pku)*
Window No. 2683

Date: 5/14/08

Please provide a statement regarding the presence or absence of navigable water bodies on the lands to be approved for conveyance. The area is highlighted on the attached window map.

1. Village/Region Name: Inluksuk (F14949) 12(a) + 12(b)

2. Village/Region Name: _____

3. Village/Region Name: _____



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>



Bogus Creek
Interim Report
Attachment 14

HWood 6/12/08
MBilamane 6/12/08
E. Hough 6/17/08

In Reply Refer To:

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

JUN 18 2008

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

DECISION

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

F-14949-A, F-14949-A2
Village Selection Applications

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

AA-10328
Regional Selection Application

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

Yukon Delta National Wildlife Refuge

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

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

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

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

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

Seward Meridian, Alaska

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

Containing approximately 5 acres.

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

LAND APPROVED FOR CONVEYANCE

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

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

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

Lands to Patent

Seward Meridian, Alaska

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

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

T. 13 N., R. 64 W.,
Sec. 1, lot 2, lots 4 to 9, inclusive, NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$,
SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 6, lot 1, lots 4 to 15, inclusive, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 7, lots 1 to 6, inclusive, NE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 12, lots 1 to 4, inclusive, lot 6, lots 13 to 19, inclusive, SE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ S $\frac{1}{2}$,
NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Secs. 13 and 25;
Sec. 26, lots 1 to 6, inclusive, E $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$;
Sec. 35, lots 1 to 13, inclusive, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$;
Sec. 36, lots 1 and 2, N $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$.

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

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

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

T. 12 N., R. 65 W.,
Sec. 1, lots 1 and 2, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$;
Sec. 2, lots 1 to 8, inclusive, SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 3, lots 1 to 8, inclusive, NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$,
SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 10, lots 1 to 4, inclusive, NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$;
Sec. 11, lots 1 to 9, inclusive, E $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 12, lots 1 to 6, inclusive, NW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$;
Sec. 14, lots 1 to 4, inclusive, lots 7 and 8, E $\frac{1}{2}$ E $\frac{1}{2}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 25, lots 6 to 18, inclusive, NE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$;

Sec. 26, lot 1, lots 3 to 6, inclusive, $W\frac{1}{2}NE\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}$, $SW\frac{1}{4}NW\frac{1}{4}$,
 $W\frac{1}{2}SW\frac{1}{4}$, $NE\frac{1}{4}SW\frac{1}{4}$, $SE\frac{1}{4}$;

Sec. 35, lots 1 to 7, inclusive, $E\frac{1}{2}NE\frac{1}{4}$, $SW\frac{1}{4}$;

Sec. 36, lots 1 to 8, inclusive, lot 11, lots 13 to 19, inclusive, $NW\frac{1}{4}$.

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

Lands to Interim Convey

Seward Meridian, Alaska

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

Containing approximately 1,132 acres.

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

Containing approximately 1,753 acres.

Aggregating approximately 18,968 acres.

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

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

Seward Meridian, Alaska

In T. 13 N., R. 64 W.:

Bogus Creek;

Little Bogus Creek from its confluence with the Tuluksak River upstream, including the Yukaniluk Creek, and into the $SW\frac{1}{4}NW\frac{1}{4}$, Sec. 35, T. 13 N., R. 64 W. SM;
 Gweek River.

In T. 14 N., R. 64 W.:

Gweek River;

Interconnecting slough of the Kuskokwim River.

In T. 12 N., R. 65 W.:

Tuluksak River;

Little Bogus Creek;

Unnamed slough and lake system flowing from Tuluksak River in Sec. 36, to its confluence with the Mishevik Slough in Sec. 32, T. 12 N., R. 65 W., SM.

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

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

1. The subsurface estate therein, and all rights, privileges, immunities, and appurtenances, of whatsoever nature, accruing unto said estate pursuant to the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. § 1613(f); and
2. Pursuant to Sec. 17(b) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. § 1616(b) (1976), the following public easement, referenced by Easement Identification Number (EIN) on the easement map, a copy of which can be found in the Bureau of Land Management's public land records, is reserved to the United States. All easements are subject to applicable Federal, State, or Municipal corporation regulation. The following is a listing of uses allowed for the easement. Any uses which are not specifically listed are prohibited.

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

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

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

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

2. Valid existing rights therein, if any, including but not limited to those created by any lease, contract, permit, right-of-way, or easement, and the right of the lessee, contractee, permittee, or grantee to the complete enjoyment of all rights, privileges, and benefits thereby granted to him. Further, pursuant to Sec. 17(b)(2) of the Alaska Native Claims Settlement Act of December 18, 1971 (ANCSA), 43 U.S.C. § 1616(b)(2) (1976), any valid existing right recognized by ANCSA shall continue to have whatever right of access as is now provided for under existing law; and
3. Requirements of Sec. 14(c) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. § 1613(c), as amended, that the grantee hereunder convey those portions, if any, of the lands hereinabove granted, as are prescribed in said section.

CONVEYANCE OF SUBSURFACE ESTATE

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

COMBINED SURFACE ESTATE ENTITLEMENT SUMMARY

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

OVER-SELECTIONS DEEMED RELINQUISHED

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

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

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

GENERAL INFORMATION

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

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

APPEAL PROVISIONS

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

The time limits for filing an appeal are:

1. Parties receiving service of this decision by personal service or certified mail, return receipt requested, shall have thirty days from receipt of this decision to file an appeal.
2. Unknown parties, parties unable to be located after reasonable efforts have been expended to locate, parties who failed or refused to sign their return receipt, and parties who received a copy of this decision by regular mail which is not certified, return receipt requested, shall have until JUL 18 2008 to file an appeal.

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

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

/s/ Ramona Chinn ~~Acting~~
State Director

Enclosures:
Form 1842-1
Appeal regulations
Plats
Map

Copy furnished to:

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

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

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

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

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

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

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

AK-FM Anchorage (011)

ANCSA Acreage Control (965)

Escrow (962)

Pat Moreno (961)

Ron Royer, State Coordinator (965)

Charles Lovely, Land Transfer Resolution Specialist (965)

The United States of America

To all to whom these presents shall come, Greeting:

Patent

F-14949-A
F-14949-A2

This patent is issued by the UNITED STATES, Department of the Interior, Bureau of Land Management, 222 West Seventh Avenue, #13, Anchorage, Alaska 99513-7504, as GRANTOR, to Tulkisarmute Incorporated, P.O. Box 65, Tuluksak, Alaska 99679, as GRANTEE, for lands in the Bethel and Kuskokwim Recording Districts.

WHEREAS

Tulkisarmute Incorporated

is entitled to a patent pursuant to Sec. 14(a) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. § 1613(a), of the surface estate in the following-described lands:

Seward Meridian, Alaska

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

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

T. 13 N., R. 64 W.,
Sec. 1, lot 2, lots 4 to 9, inclusive, NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$,
SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 6, lot 1, lots 4 to 15, inclusive, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 7, lots 1 to 6, inclusive, NE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 12, lots 1 to 4, inclusive, lot 6, lots 13 to 19, inclusive, SE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ S $\frac{1}{2}$,
NE $\frac{1}{4}$ SE $\frac{1}{4}$;

Patent No. **50-2008-0420**

Page 1 of 4

Secs. 13 and 25;
Sec. 26, lots 1 to 6, inclusive, $E\frac{1}{2}NE\frac{1}{4}$, $S\frac{1}{2}$;
Sec. 35, lots 1 to 13, inclusive, $SE\frac{1}{4}NE\frac{1}{4}$, $SW\frac{1}{4}$;
Sec. 36, lots 1 and 2, $N\frac{1}{2}$, $E\frac{1}{2}SW\frac{1}{4}$, $SE\frac{1}{4}$.

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

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

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

T. 12 N., R. 65 W.,
Sec. 1, lots 1 and 2, $NE\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}$, $S\frac{1}{2}$;
Sec. 2, lots 1 to 8, inclusive, $SW\frac{1}{4}$, $S\frac{1}{2}SE\frac{1}{4}$;
Sec. 3, lots 1 to 8, inclusive, $NE\frac{1}{4}NE\frac{1}{4}$, $NW\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}$, $SW\frac{1}{4}SW\frac{1}{4}$,
 $SE\frac{1}{4}SE\frac{1}{4}$;
Sec. 10, lots 1 to 4, inclusive, $NE\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$, $S\frac{1}{2}$;
Sec. 11, lots 1 to 9, inclusive, $E\frac{1}{2}NE\frac{1}{4}$, $NW\frac{1}{4}NE\frac{1}{4}$, $NE\frac{1}{4}NW\frac{1}{4}$, $W\frac{1}{2}NW\frac{1}{4}$;
Sec. 12, lots 1 to 6, inclusive, $NW\frac{1}{4}NE\frac{1}{4}$, $W\frac{1}{2}$;
Sec. 14, lots 1 to 4, inclusive, lots 7 and 8, $E\frac{1}{2}E\frac{1}{2}$, $NW\frac{1}{4}NE\frac{1}{4}$, $SW\frac{1}{4}SE\frac{1}{4}$;
Sec. 25, lots 6 to 18, inclusive, $NE\frac{1}{4}$, $S\frac{1}{2}SW\frac{1}{4}$;
Sec. 26, lot 1, lots 3 to 6, inclusive, $W\frac{1}{2}NE\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}$, $SW\frac{1}{4}NW\frac{1}{4}$,
 $W\frac{1}{2}SW\frac{1}{4}$, $NE\frac{1}{4}SW\frac{1}{4}$, $SE\frac{1}{4}$;
Sec. 35, lots 1 to 7, inclusive, $E\frac{1}{2}NE\frac{1}{4}$, $SW\frac{1}{4}$;
Sec. 36, lots 1 to 8, inclusive, lot 11, lots 13 to 19, inclusive, $NW\frac{1}{4}$.

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

Aggregating 16,083.44 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 lands above described; TO HAVE AND TO HOLD the said estate with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said corporation, its successors and assigns, forever.

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

1. The subsurface estate therein, and all rights, privileges, immunities, and appurtenances, of whatsoever nature, accruing unto said estate pursuant to the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. § 1613(f); and
2. Pursuant to Sec. 17(b) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. § 1616(b) (1976), the following public easement, referenced by Easement Identification Number (EIN) on the easement map, a copy of which can be found in the Bureau of Land Management's public land records, is reserved to the United States. All easements are subject to applicable Federal, State, or Municipal corporation regulation. The following is a listing of uses allowed for the easement. Any uses which are not specifically listed are prohibited.

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

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

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

1. Valid existing rights therein, if any, including but not limited to those created by any lease, contract, permit, right-of-way, or easement, and the right of the lessee, contractee, permittee or grantee to the complete enjoyment of all rights, privileges,

and benefits thereby granted to him. Further, pursuant to Sec. 17(b)(2) of the Alaska Native Claims Settlement Act of December 18, 1971 (ANCSA), 43 U.S.C. § 1616(b)(2) (1976), any valid existing right recognized by ANCSA shall continue to have whatever right of access as is now provided for under existing law; and

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

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat. 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in Anchorage, Alaska, the THIRTIETH day of JULY in the year of our Lord two thousand and **EIGHT** and of the Independence of the United States the two hundred and THIRTY-THIRD.

By /s/ Robert L. Lloyd
Robert L. Lloyd
Chief, Land Transfer Adjudication I

Return Recorded Document to:

Patent No. **50-2008-0420**

Page 4 of 4

The United States of America

To all to whom these presents shall come, Greeting:

Patent

F-14949-A
F-14949-A2

This patent is issued by the UNITED STATES, Department of the Interior, Bureau of Land Management, 222 West Seventh Avenue, #13, Anchorage, Alaska 99513-7504, as GRANTOR, to Calista Corporation, 301 Calista Court, Suite A, Anchorage, Alaska 99518-3028, as GRANTEE, for lands in the Bethel and Kuskokwim Recording Districts.

WHEREAS

Calista Corporation

is entitled to a patent pursuant to Sec. 14(f) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. § 1613(f), of the subsurface estate reserved to the United States in the hereinbelow-identified patent of the surface estate in the following described lands:

Patent No. 50-2008-0420

Seward Meridian, Alaska

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

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

Patent No. 50-2008-0421

Page 1 of 4

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

Sec. 1, lot 2, lots 4 to 9, inclusive, NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$,
SW $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 6, lot 1, lots 4 to 15, inclusive, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$;

Sec. 7, lots 1 to 6, inclusive, NE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 12, lots 1 to 4, inclusive, lot 6, lots 13 to 19, inclusive, SE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ S $\frac{1}{2}$,
NE $\frac{1}{4}$ SE $\frac{1}{4}$;

Secs. 13 and 25;

Sec. 26, lots 1 to 6, inclusive, E $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$;

Sec. 35, lots 1 to 13, inclusive, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$;

Sec. 36, lots 1 and 2, N $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$.

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

T. 14 N., R. 64 W.,

Sec. 19;

Sec. 25, lots 3 and 4;

Sec. 30, lots 1 and 2;

Sec. 31, lots 1, 2, and 3;

Sec. 36, lot 1.

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

T. 12 N., R. 65 W.,

Sec. 1, lots 1 and 2, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$;

Sec. 2, lots 1 to 8, inclusive, SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;

Sec. 3, lots 1 to 8, inclusive, NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$,
SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 10, lots 1 to 4, inclusive, NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$;
Sec. 11, lots 1 to 9, inclusive, E $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 12, lots 1 to 6, inclusive, NW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$;
Sec. 14, lots 1 to 4, inclusive, lots 7 and 8, E $\frac{1}{2}$ E $\frac{1}{2}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 25, lots 6 to 18, inclusive, NE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 26, lot 1, lots 3 to 6, inclusive, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$,
W $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
Sec. 35, lots 1 to 7, inclusive, E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$;
Sec. 36, lots 1 to 8, inclusive, lot 11, lots 13 to 19, inclusive, NW $\frac{1}{4}$.

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

Aggregating 16,083.44 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 lands 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:

1. All the easements and rights-of-way referenced in the aforementioned patent of the surface estate, and to valid existing rights therein, if any, in the said subsurface estate, including but not limited to those created by any lease, contract, permit, right-of-way, or easement, and the right of the lessee, contractee, permittee, or grantee to the complete enjoyment of all rights, privileges, and benefits thereby granted to him; and
2. Requirements of Sec. 14(f) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. § 1613(f), that the right to explore, develop, or remove minerals from the subsurface estate in the lands herein conveyed which

are within the boundaries of the Native village of Tuluksak shall be subject to the consent of Tulkisarmute Incorporated.

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat. 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in Anchorage, Alaska, the THIRTIETH day of JULY in the year of our Lord two thousand and EIGHT and of the Independence of the United States the two hundred and THIRTY-THIRD.

By /s/ Robert L. Lloyd

Robert L. Lloyd
Chief, Land Transfer Adjudication I

Return Recorded Document to:

Patent No. 50-2008-0421

Page 4 of 4



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

Alaska State Office

222 West Seventh Avenue, #13

Anchorage, Alaska 99513-7504

<http://www.ak.blm.gov>

Bogus Creek
Interim Report
Attachment 16

J. Grimmer 4.9.09

In Reply Refer To:
FF-14902-EE (75.4)
FF-14902-A (2651)
(964) scg/

APR 21 2009

Memorandum

To: Chief, Land Transfer Adjudication II (965)

From: Chief, Land Transfer Adjudication I (964)

Subject: Final Easement Memorandum for Lands to be Conveyed to Napaskiak,
Incorporated for the Native Village of Napaskiak

Section 17(b) of the Alaska Native Claims Settlement Act (ANCSA) requires that easements be identified for lands selected by Napaskiak Incorporated, for the Native Village of Napaskiak, pursuant to Sections 12(a) and 12(b) of ANCSA. The following are the final easement recommendations. Of these recommendations, my decision is as follows for the lands described below.

Seward Meridian, Alaska

T. 11 N., R. 62 W.
Secs. 5 to 8, inclusive;
Secs. 17 to 20, inclusive;
Secs. 29 to 31, inclusive.
Sec. 36.

T. 12 N., R. 62 W.
Secs. 29 to 32, inclusive.

T. 13 N., R. 62 W.
Secs. 3 to 10, inclusive;
Secs. 15 to 22, inclusive;
Secs. 27 to 34, inclusive.

T. 11 N., R. 63 W.
Secs. 1 and 2, inclusive;
Secs. 12 and 13, inclusive;
Secs. 24 and 25, inclusive;
Sec. 36.

T. 13 N., R. 63 W.
Secs. 1 to 18, inclusive.

T. 5 N., R. 69 W.
Secs. 4 to 7, inclusive;
Secs. 18 and 19.

T. 6 N., R. 69 W.
Secs. 29 and 33.

T. 5 N., R. 70 W.
Secs. 4, 9 and 16.

T. 5 N., R. 71 W.
Secs. 5 to 8, inclusive;
Secs. 17 to 20, inclusive;
Secs. 29 and 30.

MAJOR WATERWAYS:

Eek Lake has been determined to be a major waterway within the above described lands.

ALLOWABLE USES:

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

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

50 Foot Trail - The uses allowed on a fifty (50) foot wide trail easement are: Travel by foot, dogsleds, animals, snowmobiles, two- and three- wheel vehicles, small and large all-terrain vehicles (ATV's), track vehicles and four-wheel drive vehicles.

1 Acre Site – The uses allowed on a site easement are: vehicle parking (e.g. aircraft, boats, all-terrain vehicles, snowmobiles, cars, and trucks), temporary camping, and loading or unloading. Temporary camping, loading, or unloading is limited to 24 hours.

EASEMENT TO BE RESERVED:

- a. (EIN 7 D9) An easement twenty-five (25) feet in width for an existing access trail, southwesterly from Sec. 3, T. 13 N., R. 62 W., Seward Meridian, Alaska through Sec. 14, T. 13 N., R. 63 W., Seward Meridian. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement. This trail limited to winter use only. This easement is subject to the State of Alaska's claimed RS 2477 right-of-way, if valid.

Discussion: This trail is a continuation of a previously reserved easement, EIN 7 D9 in IC 745. It is known as the Aniak-Tuluksak Trail which connects the villages of Aniak and Tuluksak. This trail limited to winter use only.

- b. (EIN 21 D9) An easement fifty (50) feet in width for and existing access trail, southeasterly through Sec. 36, T. 11 N., R 63 W., Seward Meridian to public lands in Sec. 1, T. 10 N., R. 63 W. Seward Meridian. The allowable uses are those listed above for a fifty (50) foot trail easement.

Discussion: Reference to the Alaska Road Commission Trail System, this trail is a continuation of the Tuluksak-Bear Creek Trail no. 5, southeasterly to public lands in Sec. 1, T. 10 N., R. 63 W., Seward Meridian.

- c. (EIN 22 D9) A one (1) acre site easement on the northwest shore of Eek Lake in Sec. 8, T. 5 N., R. 71 W., Seward Meridian. Uses allowed are those listed above for a one (1) acre site easement.

Discussion: This site easement is needed as a periodic rest stop to accommodate travelers accessing Eek Lake and for a change in mode of transportation.

- d. (EIN 23 D9) An easement twenty-five (25) feet in width for a proposed access trail in Sec. 8, T. 5 N., R. 71 W., Seward Meridian, northwesterly along the north shore of the two unnamed lakes to another proposed site easement in Sec. 7, T. 5 N., R. 71 W., Seward Meridian. The allowable uses are those listed above for a twenty-five (25) foot trail easement.

Discussion: This proposed easement trail links EIN 22 D9 to EIN 24 D9 and is considered necessary in order to provide adequate and reasonable access to public lands.

- e. (EIN 24 D9) A one (1) acre site easement on the east shore of an unnamed lake in Sec. 7, T. 5 N., R. 71 W., Seward Meridian. Uses allowed are those listed above for a one (1) acre site easement.

Discussion: This site easement is needed as a periodic rest stop to accommodate travelers accessing Eek Lake and for a change in mode of transportation.

- f. (EIN 25 D9) A one (1) acre site easement on the left bank of Bogus Creek in Sec. 4 T. 13 N., R. 62 W., Seward Meridian. Uses allowed are those listed above for a one (1) acre site easement.

Discussion: This site will provide a periodic resting point along Bogus Creek and will also provide for a change in mode of transportation to access a twenty-five (25) foot wide extension of EIN 7 D9.

- g. (EIN 26 D9) A one (1) acre site easement located on the right bank of Bogus Creek in SE1/4 NE1/4 Sec. 6, T. 13 N., R. 63 W., Seward Meridian. Uses allowed are those listed above for a one (1) acre site easement.

Discussion: This site easement is needed as a periodic rest stop to accommodate travelers and for a change in mode of transportation.

- h. (EIN 27 D9) An easement twenty-five (25) feet in width for a proposed trail in Sec. 6, T. 13 N., R. 63 W., Seward Meridian traveling northerly from proposed site easement EIN 26 D9 to public land in Sec. 31, T. 14 N., R. 63 W., Seward Meridian. The allowable uses are those listed above for a twenty-five (25) foot trail easement.

Discussion: This proposed trail easement is being reserved to allow access to public land to the north in Sec. 31, T. 14 N., R. 63 W., Seward Meridian from EIN 26 D9.

EASEMENTS CONSIDERED BUT NOT RECOMMENDED:

- i. (EIN 28 D9) A proposed site easement one (1) acre in size located on the right bank of Bogus Creek in the NW1/4NW1/4 Sec. 1, T. 13 N., R. 63 W., Seward Meridian.

Discussion: This proposed site easement is not being reserved because alternative access to public land is available to the north in Sec. 36, T. 14, R. 64 W., Seward Meridian.

- j. (EIN 29 D9) An easement twenty-five (25) feet in width for a proposed trail in the NE1/4NW1/4 Sec. 1, T. 13 N., R. 63 W., Seward Meridian.

Discussion: This proposed trail easement is not being reserved because alternative access to public land is available to the north in Sec. 36, T. 14 N., R. 63 W., Seward Meridian.

- k. (EIN 30 D9) An easement twenty-five (25) feet in width for a proposed access trail from the NW1/4NW1/4 Sec. 13, T. 11 N., R. 63 W., Seward Meridian.

Discussion: This proposed access trail is not being reserved because alternative access to public land is available to the west in Sec. 14, T. 11 N., R. 63 W., Seward Meridian.

/s/ Robert L. Lloyd

Robert L. Lloyd
Chief, Land Transfer Adjudication I

2-Attachments:

- 1- Napaskiak Site Map
- 2- Easement Quadrangles:

Bethel C-7, C-8 and D-4
Russian Mission A-4, A-5 and B-5

cc: (w/attachments)

Napaskiak Incorporated
P.O. Box 6069
Napaskiak, Alaska 99559

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

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

State of Alaska
Department of Fish and Game
Division of Sport Fish
Attn: Marla Carter
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

State of Alaska
Department of Natural Resources
Division of Mining, Land and Water
Public Access Assertion and Defense Unit
Attn: Scott Ogan
550 West Seventh Avenue, Suite 1070 A
Anchorage, Alaska 99501-3579

Anchorage Field Office (011)

Jennifer Noe (965)

Joe Labay (962)

Charles Lovely (965)

Pat Moreno (961)

Easement Reading File (964)



United States Department of the Interior



Bogus Creek
Interim Report
Attachment 17

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

J. Grinn 6-1-09

In Reply Refer To:
FF-14902-EE (75.4)
FF-14902-A (2651)
(964) scg/

JUN 01 2009

Memorandum

To: Chief, Land Transfer Adjudication II (965)
From: Chief, Land Transfer Adjudication I (964)
Subject: Final Easement Memorandum for Lands to be Conveyed to Napaskiak,
Incorporated for the Native Village of Napaskiak

Section 17(b) of the Alaska Native Claims Settlement Act (ANCSA) requires that easements be identified for lands selected by Napaskiak Incorporated, for the Native Village of Napaskiak, pursuant to Sections 12(a) and 12(b) of ANCSA. The following are the final easement recommendations. Of these recommendations, my decision is as follows for the lands described below.

Seward Meridian, Alaska

T. 12 N., R., 63 W.
Secs. 1 through 3, inclusive;
Secs. 10 through 15, inclusive;
Secs. 22 through 27, inclusive;
Secs. 35 and 36.

MAJOR WATERWAYS:

It has been determined that there are no major waterways within the lands described above.

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

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

State of Alaska
Department of Natural Resources
Division of Mining, Land and Water
Public Access Assertion and Defense Unit
Attn: Scott Ogan
550 West Seventh Avenue, Suite 1420
Anchorage, Alaska 99501-3579

Anchorage Field Office (011)

Jennifer Noe (965)

Joe Labay (962)

Charles Lovely (965)

Pat Moreno (961)

Easement Reading File (964)

ALLOWABLE USES:

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

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

EASEMENTS TO BE RESERVED:

(EIN 31 D1 D9) An easement twenty-five (25) feet in width for a proposed access trail from public lands in Sec. 16, T. 12 N., R. 63 W., Seward Meridian, east to public lands in Sec. 18, T. 12 N., R. 62 W., Seward Meridian. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement.

Discussion: This trail is necessary to provide access to public land east and west of the narrow selection pattern along an unnamed tributary of Bogus Creek.

/s/ Robert L. Lloyd

Robert L. Lloyd
Chief, Land Transfer Adjudication I

1-Attachment:

1-Easement Quadrangle:

Russian Mission A-4

cc: (w/attachment)

Napaskiak Incorporated
P.O. Box 6069
Napaskiak, Alaska 99559

Calista Corporation
Attn: Land Department
301 Calista Court, Suite A
Anchorage, Alaska 99518-3

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

SENDER: COMPLETE THIS

- Complete items 1, 2, and 3 item 4 if Restricted Delivery
- Print your name and address so that we can return the card
- Attach this card to the back or on the front if space permits

1. Article Addressed to:

Napaskiak Incorporated
P.O. Box 6069
Napaskiak, Alaska 99559
FF-14902-EE96

2. Article Number
(Transfer from service label)

PS Form 3811, February 2004

U.S. Postal Service
CERTIFIED MAIL™ RECEIPT
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OFFICIAL USE

Postage	\$	FF-14902-EE
Certified Fee	JUN 01 2009	
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	Postmark Here 964

Sent To Napaskiak Corp

Street, Apt. No., or PO Box No. _____

City, State, ZIP+4 _____

PS Form 3800, August 2006

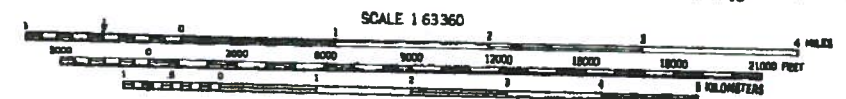
Domestic Return Receipt

See Reverse for Instructions

102595-02-M-15



Map by the Defense Mapping Agency
Control by the Geological Survey
Control by NOB/NOAA and USCE
Topography by photogrammetric methods from aerial photographs
taken 1952 and 1954, field annotated 1953 and 1954. Map not field checked
Projection and 1000-meter grid (ticks shown in blue):
Universal Transverse Mercator, zone 4
10,000-foot grid (ticks shown in blue):
Alaska coordinate system, zone 7. 1927 North American Datum
To place on the predicted North American Datum 1927 move
the projection lines 84 meters north and 127 meters east
Land lines represent unsurveyed and unmarked locations
predetermined by the Bureau of Land Management
Folio S-10, Seward Meridian
Swamps, as portrayed, indicate only the wetter areas,
usually of low relief, as interpreted from aerial photographs
Federal reservation boundaries established by The Alaska National
Interest Lands Conservation Act, PL 96-487, Dec. 2, 1980, are
shown as compiled by the administering agencies
There may be private inholdings within the boundaries of
the National or State reservations shown on this map



CONTOUR INTERVAL 50 FEET
DASHED LINES REPRESENT 25-FOOT CONTOURS
NATIONAL GEODETIC VERTICAL DATUM OF 1929

FOR SALE BY U.S. GEOLOGICAL SURVEY
FAIRBANKS, ALASKA 99701, DENVER, COLORADO 80225, OR RESTON, VIRGINIA 22092
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST



ROAD CLASSIFICATION
Trails
Russian Mission A-4
RUSSIAN MISSION (A-4), ALASKA
61160-A2-TF-063
1964

Current To Date: 05-19-2009



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>

Bogus Creek
Interim Report
Attachment 18

In Reply Refer To:

F-14902-A (2651)

F-14902-A2 (2651)

F-14902-EE (75.4)

AA-10427 (2653)

(965) jln/emf/sla

emf 6/2/09
J. Doe 6/2/09

JUN 19 2009

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

DECISION

Napaskiak, Incorporated
P.O. Box 6069
Napaskiak, Alaska 99559

F-14902-A, F-14902-A2
Village Selection Applications

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

AA-10427
Regional Selection Application

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

Yukon Delta National Wildlife Refuge

Village Selection Applications Rejected

Regional Selection Application Rejected

Lands Proper for Village Selection

Approved for Conveyance

On November 22, 1974 and December 12, 1975, Napaskiak, Incorporated, for the Native village of Napaskiak, filed selection applications F-14902-A, as amended, and F-14902-A2, under the provisions of Secs. 12(a) and 12(b), respectively, of the Alaska Native Claims Settlement Act of December 18, 1971 (ANCSA), 43 U.S.C. §§ 1611(a), (b), for certain lands withdrawn by Sec. 11(a)(1) of ANCSA and Public Land Order No. 5392, filed on September 19, 1973, in the

vicinity of Napaskiak, Alaska. The selections include lands within the Yukon Delta National Wildlife Refuge.

VILLAGE SECTION 12(b) SELECTION APPLICATION REJECTED

Napaskiak, Incorporated filed selection application F-14902-A2 pursuant to Sec. 12(b) of ANCSA for certain lands previously selected pursuant to Sec. 12(a). Therefore, selection application F-14902-A2 is hereby rejected as to the lands described below, which are a portion of the lands herein approved for conveyance. Further action on case file F-14902-A2 as to the lands not rejected herein will be taken at a later date.

Seward Meridian, Alaska

T. 5 N., R. 69 W.,
Secs. 4 to 7, inclusive;
Secs. 18 and 19.

Containing 3,786.82 acres.

T. 13 N., R. 62 W.,
Secs. 27 and 28;
Sec. 29, lots 1 to 5, inclusive, $N\frac{1}{2}$, $SE\frac{1}{4}$;
Sec. 30, lots 1 to 12, inclusive, $NE\frac{1}{4}NE\frac{1}{4}$; $E\frac{1}{2}NW\frac{1}{4}$, $NE\frac{1}{4}SW\frac{1}{4}$;
Sec. 31, lots 1 to 14, inclusive, $S\frac{1}{2}NE\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}$, $SE\frac{1}{4}$;
Sec. 32, lots 1 and 2, $E\frac{1}{2}$, $S\frac{1}{2}NW\frac{1}{4}$, $SW\frac{1}{4}$;
Secs. 33 and 34.

Containing 4,837.55 acres.

T. 13 N., R. 63 W.,
Sec. 1, lots 1 to 12, inclusive, $NW\frac{1}{4}NE\frac{1}{4}$, $NE\frac{1}{4}NW\frac{1}{4}$, $NW\frac{1}{4}SW\frac{1}{4}$, $S\frac{1}{2}S\frac{1}{2}$;
Sec. 2, lots 1 to 16, inclusive, $N\frac{1}{2}NW\frac{1}{4}$, $SE\frac{1}{4}SE\frac{1}{4}$;
Sec. 3, lots 1 to 15, inclusive, $N\frac{1}{2}N\frac{1}{2}$, $SE\frac{1}{4}NE\frac{1}{4}$, $SW\frac{1}{4}SW\frac{1}{4}$;
Sec. 4, lots 1 to 10, inclusive, $NE\frac{1}{4}$, $NE\frac{1}{4}NW\frac{1}{4}$, $W\frac{1}{2}NW\frac{1}{4}$, $SW\frac{1}{4}SW\frac{1}{4}$;
Sec. 5, lots 1 to 21, inclusive, $NW\frac{1}{4}NW\frac{1}{4}$;
Sec. 6, lots 1 to 19, inclusive;
Sec. 7, lots 1 to 11, inclusive, $NW\frac{1}{4}NE\frac{1}{4}$, $NE\frac{1}{4}NW\frac{1}{4}$;
Sec. 8, lots 1 to 8, inclusive, $E\frac{1}{2}E\frac{1}{2}$, $SW\frac{1}{4}NE\frac{1}{4}$, $E\frac{1}{2}SW\frac{1}{4}$, $W\frac{1}{2}SE\frac{1}{4}$;
Sec. 9, lots 1 to 7, inclusive, $E\frac{1}{2}E\frac{1}{2}$, $NW\frac{1}{4}NE\frac{1}{4}$, $NW\frac{1}{4}NW\frac{1}{4}$, $S\frac{1}{2}SW\frac{1}{4}$;
Sec. 10, lots 1 and 2, $W\frac{1}{2}$, $S\frac{1}{2}NE\frac{1}{4}$, $SE\frac{1}{4}$;
Sec. 11, lots 1 to 5, inclusive, $S\frac{1}{2}$, $SW\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}$;
Sec. 12;
Sec. 13, lot 1, $N\frac{1}{2}$, $N\frac{1}{2}SW\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}$, $SE\frac{1}{4}$;

Secs. 14 to 17, inclusive;
 Sec. 18, lots 1 to 7, inclusive, $S\frac{1}{2}NE\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$, $E\frac{1}{2}SW\frac{1}{4}$, $SE\frac{1}{4}$.

Containing 10,572.01 acres.

VILLAGE SECTION 12(a) SELECTION APPLICATION REJECTED

Napaskiak, Incorporated filed selection application F-14902-A pursuant to Sec. 12(a) of ANCSA for certain lands also selected pursuant to Sec. 12(b). Therefore, selection application F-14902-A is hereby rejected as to the lands described below, which are a portion of the lands herein approved for conveyance. Further action on case file F-14902-A as to the lands not rejected herein will be taken at a later date.

Seward Meridian, Alaska

T. 13 N., R. 62 W.,

Sec. 3, lots 1 and 2, $E\frac{1}{2}$, $E\frac{1}{2}NW\frac{1}{4}$, $SW\frac{1}{4}$;
 Sec. 4, lots 1 to 15, inclusive, $S\frac{1}{2}S\frac{1}{2}$, $NE\frac{1}{4}SE\frac{1}{4}$;
 Sec. 5, lots 1 to 14, inclusive, $S\frac{1}{2}S\frac{1}{2}$, $NW\frac{1}{4}SW\frac{1}{4}$, $NW\frac{1}{4}SE\frac{1}{4}$;
 Sec. 6, lots 1 to 10, inclusive, $S\frac{1}{2}NE\frac{1}{4}$, $E\frac{1}{2}SW\frac{1}{4}$, $SE\frac{1}{4}$;
 Sec. 7, lots 1 to 10, inclusive, $N\frac{1}{2}NE\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}$;
 Sec. 8, lots 1 to 9, inclusive, $NE\frac{1}{4}NE\frac{1}{4}$, $N\frac{1}{2}NW\frac{1}{4}$, $E\frac{1}{2}SE\frac{1}{4}$;
 Sec. 9, lots 1 to 4, inclusive, $N\frac{1}{2}$, $W\frac{1}{2}SW\frac{1}{4}$, $NE\frac{1}{4}SW\frac{1}{4}$, $NW\frac{1}{4}SE\frac{1}{4}$;
 Sec. 10, lots 1 to 8, inclusive, $SW\frac{1}{4}NE\frac{1}{4}$, $NW\frac{1}{4}$, $SE\frac{1}{4}$;
 Sec. 15, lot 1, $E\frac{1}{2}$, $E\frac{1}{2}NW\frac{1}{4}$, $SW\frac{1}{4}NW\frac{1}{4}$, $SW\frac{1}{4}$;
 Sec. 16, lots 1 to 8, inclusive, $NE\frac{1}{4}SW\frac{1}{4}$, $S\frac{1}{2}SW\frac{1}{4}$, $SE\frac{1}{4}$;
 Sec. 17, lots 1 to 20, inclusive, $NE\frac{1}{4}NW\frac{1}{4}$, $SW\frac{1}{4}NW\frac{1}{4}$, $W\frac{1}{2}SW\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}$;
 Sec. 18, lots 1 to 11, inclusive, $S\frac{1}{2}NE\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$, $NE\frac{1}{4}SW\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}$;
 Sec. 19, lots 1 to 14, inclusive, $E\frac{1}{2}SW\frac{1}{4}$, $NW\frac{1}{4}SE\frac{1}{4}$;
 Sec. 20, lots 1 to 8, inclusive, $E\frac{1}{2}NE\frac{1}{4}$, $SW\frac{1}{4}NE\frac{1}{4}$, $NW\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}$, $SE\frac{1}{4}$;
 Secs. 21 and 22.

Containing 9,124.14 acres.

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

On November 18, 1975, Calista Corporation filed regional selection application AA-10427, as amended, pursuant to Sec. 14(h)(1) of ANCSA, 43 U.S.C. § 1613(h)(1). The lands selected under AA-10427 were previously selected on November 22, 1974 and December 12, 1975 by Napaskiak, Incorporated under Secs. 12(a) and 12(b) of ANCSA and are herein approved for conveyance to Napaskiak, Incorporated. Departmental regulation 43 CFR § 2651.4(d) states that village corporation selections shall be given priority over regional corporation selections for the same land. Therefore, selection application AA-10427 is hereby rejected as to the lands herein approved for conveyance. Case file AA-10427 will be closed of record when this decision becomes final as there are no other lands remaining selected.

LAND APPROVED FOR CONVEYANCE

As to the lands described below, village selection applications AA-14902-A, as amended, and AA-14902-A2 are properly filed and meet the requirements of ANCSA and of the regulations issued pursuant thereto. These lands do not include any lawful entry perfected under or being maintained in compliance with laws leading to acquisition of title; neither do they include any submerged lands which passed to the State of Alaska under the Equal Footing Doctrine, U.S. Const. art. IV, § 3, and Sec. 6(m) of the Alaska Statehood Act of July 7, 1958, 72 Stat. 339.

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

In view of the foregoing, the surface estate of the lands described below, selected pursuant to Secs. 12(a) and 12(b) of ANCSA, aggregating approximately 28,321 acres, is considered proper for acquisition by Napaskiak, Incorporated and is hereby approved for conveyance pursuant to Sec. 14(a) of ANCSA:

Section 12(a) Lands

Seward Meridian, Alaska

T. 5 N., R. 69 W.,
Secs. 4 to 7, inclusive;
Secs. 18 and 19.

Containing approximately 3,787 acres.

T. 13 N., R. 62 W.,
Secs. 27 to 34, inclusive.

Containing approximately 4,838 acres.

T. 13 N., R. 63 W.,
Secs. 1 to 18, inclusive.

Containing approximately 10,572 acres.

Aggregating approximately 19,197 acres.

Section 12(b) Lands

Seward Meridian, Alaska

T. 13 N., R. 62 W.,
Secs. 3 to 10, inclusive;
Secs. 15 to 22, inclusive.

Containing approximately 9,124 acres.

Total Secs. 12(a) and 12(b) lands aggregating approximately 28,321 acres.

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

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

Bogus Creek

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

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

1. The subsurface estate therein, and all rights, privileges, immunities, and appurtenances, of whatsoever nature, accruing unto said estate pursuant to the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. § 1613(f); and
2. Pursuant to Sec. 17(b) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. § 1616(b) (1976), the following public easements, referenced by Easement Identification Number (EIN) on the easement maps, copies of which can be found in the Bureau of Land Management's public land records, are reserved to the United States. All easements are subject to applicable Federal, State, or Municipal corporation regulation. The following is a listing of uses allowed for each type of easement. Any uses which are not specifically listed are prohibited.

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

1 Acre Site - The uses allowed on a site easement are: vehicle parking (e.g., aircraft, boats, all-terrain vehicles, snowmobiles, cars, and trucks), temporary camping, and loading or unloading. Temporary camping, loading, or unloading is limited to 24 hours.

- a. (EIN 7 D9) An easement twenty-five (25) feet in width for an existing access trail, southwesterly from Sec. 3, T. 13 N., R. 62 W., Seward Meridian, Alaska through Sec. 14, T. 13 N., R. 63 W., Seward Meridian. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement. This trail limited to winter use only. This easement is subject to the State of Alaska's claimed RS 2477 right-of-way, if valid.
- b. (EIN 25 D9) A one (1) acre site easement on the left bank of Bogus Creek in Sec. 4, T. 13 N., R. 62 W., Seward Meridian. Uses allowed are those listed above for a one (1) acre site.
- c. (EIN 26 D9) A one (1) acre site easement located on the right bank of Bogus Creek in SE1/4NE1/4, Sec. 6, T. 13 N., R. 63 W., Seward Meridian. Uses allowed are those listed above for a one (1) acre site easement.
- d. (EIN 27 D9) An easement twenty-five (25) feet in width for a proposed trail in Sec. 6, T. 13 N., R. 63 W., Seward Meridian traveling northerly from proposed site easement EIN 26 D9 to public land in Sec. 31, T. 14 N., R. 63 W., Seward Meridian. This trail is limited to winter use only. The allowable uses are those listed above for a twenty-five (25) foot trail easement.

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

1. Issuance of a patent after approval and filing by the Bureau of Land Management of the official plat of survey confirming the boundary description and acreage of the lands hereinabove granted; and in accordance with a determination as to those islands, if any, that emerged from the bed of a navigable water body on or after January 3, 1959;
2. Valid existing rights therein, if any, including but not limited to those created by any lease, contract, permit, right-of-way, or easement, and the right of the lessee, contractee, permittee, or grantee to the complete enjoyment of all rights, privileges, and benefits thereby granted to him. Further, pursuant to Sec. 17(b) of

the Alaska Native Claims Settlement Act of December 18, 1971 (ANCSA), 43 U.S.C. 1616(b)(2) (1976), any valid existing right recognized by ANCSA shall continue to have whatever right of access as is now provided for under existing law; and

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

CONVEYANCE OF SUBSURFACE ESTATE

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

SURFACE ESTATE ENTITLEMENT SUMMARY

Napaskiak, Incorporated, for the Native village of Napaskiak, is entitled to conveyance of 115,200 acres of land selected pursuant to Sec. 12(a) and 9,600 acres of land selected pursuant to Sec. 12(b) of ANCSA. Together with the lands herein approved, the total acreage conveyed or approved for conveyance pursuant to Sec. 12(a) is approximately 99,556 acres and the total acreage conveyed or approved for conveyance pursuant to Sec. 12(b) is approximately 9,124 acres. The remaining entitlement of approximately 15,644 acres pursuant to Sec. 12(a) and approximately 476 acres pursuant to Sec. 12(b) will be conveyed at a later date.

SUBSURFACE ESTATE ENTITLEMENT SUMMARY

Pursuant to Sec. 14(f) of ANCSA, the regional corporation is entitled to the subsurface estate in the lands conveyed to Napaskiak, Incorporated. Together with the lands herein approved, the total subsurface estate acreage conveyed or approved for conveyance pursuant to Sec. 14(f) is approximately 108,680 acres.

GENERAL INFORMATION

Enclosed are 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 has been published once in the Federal Register and once a week for four (4) consecutive weeks in the Tundra Drums.

APPEAL PROVISIONS

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

The time limits for filing an appeal are:

1. Parties receiving service of this decision by personal service or certified mail, return receipt requested, shall have thirty days from receipt of this decision to file an appeal.
2. Unknown parties, parties unable to be located after reasonable efforts have been expended to locate, parties who failed or refused to sign their return receipt, and parties who received a copy of this decision by regular mail which is not certified, return receipt requested, shall have until JUL 20 2009 to file an appeal.

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

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

/s/ Jennifer L. Noe

Jennifer L. Noe
Land Law Examiner
Land Transfer Adjudication II Branch

Enclosures:
Form 1842-1
Appeal regulations
Plats
Maps
Acreage calculation sheet

Copy furnished to:

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

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

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

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

U.S. Fish and Wildlife Service
Refuge Manager
Alaska Maritime National Wildlife Refuge
95 Sterling Highway, Suite 1
Homer, Alaska 99603-8021
(w/plats and maps)

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

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

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

Professor Paul Friesema
Environmental Policy & Culture Program
Northwestern University
304 Scott Hall
601 University Place
Evanston, Illinois 60208-1006

FM-AKA010

ANCSA Acreage Control (965)

Escrow (962)

Pat Moreno (961)

Becky Johnson (965)

Dina Torres (962)

The United States of America

Interim Conveyance

F-14902-A
F-14902-A2

This interim conveyance is issued by the UNITED STATES, Department of the Interior, Bureau of Land Management, 222 West Seventh Avenue, #13, Anchorage, Alaska, 99513-7504, as GRANTOR, to Napaskiak, Incorporated, P.O. Box 6069, Napaskiak, Alaska, 99559, as GRANTEE, for lands in the Bethel and Kuskokwim Recording Districts.

WHEREAS

Napaskiak, Incorporated

is entitled to a conveyance pursuant to Sec. 14(a) of the Alaska Native Claims Settlement Act of December 18, 1971, as amended, 43 U.S.C. § 1613(a) of the surface estate in the following-described lands:

Section 12(a) Lands

Seward Meridian, Alaska

T. 5 N., R. 69 W.,
Secs. 4 to 7, inclusive;
Secs. 18 and 19.

Containing approximately 3,787 acres.

T. 13 N., R. 62 W.,
Secs. 27 to 34, inclusive.

Containing approximately 4,838 acres.

Interim Conveyance No. _____

2244
2244

T. 13 N., R. 63 W.,
Secs. 1 to 18, inclusive.

Containing approximately 10,572 acres.

Aggregating approximately 19,197 acres.

Section 12(b) Lands

Seward Meridian, Alaska

T. 13 N., R. 62 W.,
Secs. 3 to 10, inclusive;
Secs. 15 to 22, inclusive.

Containing approximately 9,124 acres.

Total Secs. 12(a) and 12(b) lands aggregating approximately 28,321 acres.

Excluded from the above-described lands herein conveyed are islands that have emerged from the beds of navigable waters on or after January 3, 1959, if any, which passed to the State of Alaska under the Equal Footing Doctrine, U.S. Const. art. IV, § 3, and Sec. 6(m) of the Alaska Statehood Act of July 7, 1958, 72 Stat. 339.

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

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

1. The subsurface estate therein, and all rights, privileges, immunities, and appurtenances, of whatsoever nature, accruing unto said estate pursuant to the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. § 1613(f); and
2. Pursuant to Sec. 17(b) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. § 1616(b) (1976), the following public easements, referenced by Easement Identification Number (EIN) on the easement maps, copies of which can be found in the Bureau of Land Management's public land records, are reserved to the United States. All easements are subject to applicable

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

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

1 Acre Site - The uses allowed on a site easement are: vehicle parking (e.g., aircraft, boats, all-terrain vehicles, snowmobiles, cars, and trucks), temporary camping, and loading or unloading. Temporary camping, loading, or unloading is limited to 24 hours.

- a. (EIN 7 D9) An easement twenty-five (25) feet in width for an existing access trail, southwesterly from Sec. 3, T. 13 N., R. 62 W., Seward Meridian, Alaska through Sec. 14, T. 13 N., R. 63 W., Seward Meridian. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement. This trail limited to winter use only. This easement is subject to the State of Alaska's claimed RS 2477 right-of-way, if valid.
- b. (EIN 25 D9) A one (1) acre site easement on the left bank of Bogus Creek in Sec. 4, T. 13 N., R. 62 W., Seward Meridian. Uses allowed are those listed above for a one (1) acre site.
- c. (EIN 26 D9) A one (1) acre site easement located on the right bank of Bogus Creek in SE1/4 NE1/4, Sec. 6, T. 13 N., R. 63 W., Seward Meridian. Uses allowed are those listed above for a one (1) acre site easement.
- d. (EIN 27 D9) An easement twenty-five (25) feet in width for a proposed trail in Sec. 6, T. 13 N., R. 63 W., Seward Meridian traveling northerly from proposed site easement EIN 26 D9 to public land in Sec. 31, T. 14 N., R. 63 W., Seward Meridian. The allowable uses are those listed above for a twenty-five (25) foot trail easement.

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

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

2. Valid existing rights therein, if any, including but not limited to those created by any lease, contract, permit, right-of-way, or easement, and the right of the lessee, contractee, permittee, or grantee to the complete enjoyment of all rights, privileges, and benefits thereby granted to him. Further, pursuant to Sec. 17(b) of the Alaska Native Claims Settlement Act of December 18, 1971 (ANCSA), 43 U.S.C. 1616(b)(2) (1976), any valid existing right recognized by ANCSA shall continue to have whatever right of access as is now provided for under existing law; and
3. Requirements of Sec. 14(c) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. § 1613(c), as amended, that the grantee hereunder convey those portions, if any, of the lands hereinabove granted, as are prescribed in said section.

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 30th day of July, 2009, in Anchorage, Alaska.

UNITED STATES OF AMERICA

/s/ Richard Thwaites

Richard Thwaites
Chief, Land Transfer Adjudication II Branch

Return Recorded Document to:

Interim Conveyance No. _____

2244

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The United States of America

Interim Conveyance

F-14902-A
F-14902-A2

This interim conveyance is issued by the UNITED STATES, Department of the Interior, Bureau of Land Management, 222 West Seventh Avenue, #13, Anchorage, Alaska, 99513-7504, as GRANTOR, to Calista Corporation, 301 Calista Court, Suite A, Anchorage, Alaska, 99518-3028, as GRANTEE, for lands in the Bethel and Kuskokwim Recording Districts.

WHEREAS

Calista Corporation

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

Interim Conveyance No. **2244**

Section 12(a) Lands

Seward Meridian, Alaska

T. 5 N., R. 69 W.,
Secs. 4 to 7, inclusive;
Secs. 18 and 19.

Containing approximately 3,787 acres.

Interim Conveyance No. **2245**

T. 13 N., R. 62 W.,
Secs. 27 to 34, inclusive.

Containing approximately 4,838 acres.

T. 13 N., R. 63 W.,
Secs. 1 to 18, inclusive.

Containing approximately 10,572 acres.

Aggregating approximately 19,197 acres.

Section 12(b) Lands

Seward Meridian, Alaska

T. 13 N., R. 62 W.,
Secs. 3 to 10, inclusive;
Secs. 15 to 22, inclusive.

Containing approximately 9,124 acres.

Total Secs. 12(a) and 12(b) lands aggregating approximately 28,321 acres.

Excluded from the above-described lands herein conveyed are islands that have emerged from the beds of navigable waters on or after January 3, 1959, if any, which passed to the State of Alaska under the Equal Footing Doctrine, U.S. Const. art. IV, § 3, and Sec. 6(m) of the Alaska Statehood Act of July 7, 1958, 72 Stat. 339.

NOW KNOW YE, that there is, therefore, granted by the UNITED STATES OF AMERICA, unto the above-named corporation the subsurface estate in the lands 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:

1. Issuance of a patent confirmation the boundary description and acreage of the lands hereinabove granted, and in accordance with a determination as to those islands, if any, that emerged from the bed of a navigable water body on or after January 3, 1959;

Interim Conveyance No. _____

2245

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2. All the easements and rights-of-way referenced in the aforementioned conveyance of the surface estate, and to valid existing rights therein, if any, in the said subsurface estate, including but not limited to those created by any lease, contract, permit, right-of-way, or easement, and the right of the lessee, contractee, permittee, or grantee to the complete enjoyment of all rights, privileges, and benefits thereby granted to him; and
3. Requirements of Sec. 14(f) of the Alaska Native Claims Settlement Act, 43 U.S.C. § 1613(f), that the right to explore, develop, or remove minerals from the subsurface estate in the lands herein conveyed which are within the boundaries of the Native village of Napaskiak shall be subject to the consent of Napaskiak, Incorporated.

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 30th day of July, 2009, in Anchorage, Alaska.

UNITED STATES OF AMERICA

/s/ Richard Thwaites

Richard Thwaites
Chief, Land Transfer Adjudication II Branch

Return Recorded Document to:

Interim Conveyance No. 2245

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The United States of America

To all to whom these presents shall come, Greeting:

Patent

F-14949-A

F-14949-A2

This patent is issued by the UNITED STATES, Department of the Interior, Bureau of Land Management, 222 West Seventh Avenue, #13, Anchorage, Alaska 99513-7504, as GRANTOR, to Tulkisarmute, Incorporated, P.O. Box 65, Tuluksak, Alaska 99679, as GRANTEE, for lands in the Bethel and Kuskokwim Recording Districts.

WHEREAS

Tulkisarmute, Incorporated

is entitled to a patent pursuant to Sec. 14(a) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. § 1613(a), of the surface estate in the following-described lands, which were transferred by Interim Conveyance Nos. 542, 1123, and 2124 issued August 27, 1982, September 30, 1985, and July 30, 2008, respectively:

Sec. 12(a) Lands

Lots 4 and 5, U.S. Survey No. 4435, Alaska.

Containing 2.64 acres, as shown on the plat of survey officially filed on October 20, 1992.

Seward Meridian, Alaska

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

Sec. 2, lots 2 to 10, inclusive, and lot 12, $W\frac{1}{2}E\frac{1}{2}$, $E\frac{1}{2}NW\frac{1}{4}$, $NW\frac{1}{4}NW\frac{1}{4}$;

Sec. 3, lots 1 to 11, inclusive, $N\frac{1}{2}NE\frac{1}{4}$, $SW\frac{1}{4}NE\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}$, $SE\frac{1}{4}SE\frac{1}{4}$;

Sec. 4, lots 1 to 11, inclusive;

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Sec. 5, lots 1 to 11, inclusive, $E\frac{1}{2}W\frac{1}{2}$, $W\frac{1}{2}NE\frac{1}{4}$, $SW\frac{1}{4}NW\frac{1}{4}$,
 $NW\frac{1}{4}SW\frac{1}{4}$, $SW\frac{1}{4}SE\frac{1}{4}$;
 Sec. 8, lots 1 to 14, inclusive, $SW\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}$, $SE\frac{1}{4}SE\frac{1}{4}$;
 Sec. 9, lots 3, 6, and 7, and lots 9 to 15, inclusive, $S\frac{1}{2}SW\frac{1}{4}$;
 Sec. 10, lots 1 to 9, inclusive, $E\frac{1}{2}E\frac{1}{2}$, $W\frac{1}{2}SW\frac{1}{4}$;
 Sec. 11, lots 2 to 8, inclusive, and lots 11 to 15, inclusive, $W\frac{1}{2}SW\frac{1}{4}$,
 $S\frac{1}{2}SE\frac{1}{4}$, $NW\frac{1}{4}SE\frac{1}{4}$;
 Sec. 14, lots 1 to 4, inclusive, $S\frac{1}{2}$, $NE\frac{1}{4}$;
 Sec. 15, lots 1 to 10, inclusive, and lot 13, $NE\frac{1}{4}NE\frac{1}{4}$, $SE\frac{1}{4}SE\frac{1}{4}$;
 Sec. 16, lots 1 to 13, inclusive, $N\frac{1}{2}NW\frac{1}{4}$;
 Sec. 17, lots 1 to 8, inclusive, $NE\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}$, $NW\frac{1}{4}SE\frac{1}{4}$;
 Sec. 18, lots 1 to 12, inclusive, and lots 14, 15, and 16, $W\frac{1}{2}SE\frac{1}{4}$,
 $NE\frac{1}{4}SE\frac{1}{4}$;
 Sec. 19, lots 1, 2, and 3, and lots 5 to 15, inclusive, $SE\frac{1}{4}NW\frac{1}{4}$, $W\frac{1}{2}SE\frac{1}{4}$;
 Sec. 20, lot 1, and lots 4 to 15, inclusive;
 Sec. 21, lots 1 to 10, inclusive;
 Sec. 22, lots 2 and 4, and lots 7 to 14, inclusive, $E\frac{1}{2}NE\frac{1}{4}$, $SW\frac{1}{4}SE\frac{1}{4}$;
 Sec. 23, lots 1 to 4, inclusive, $N\frac{1}{2}$, $N\frac{1}{2}SE\frac{1}{4}$, $SE\frac{1}{4}SE\frac{1}{4}$;
 Sec. 24, lots 1 to 13, inclusive, $W\frac{1}{2}W\frac{1}{2}$, $NE\frac{1}{4}NW\frac{1}{4}$, $S\frac{1}{2}SE\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}$;
 Sec. 27, lots 1 to 8, inclusive, $SE\frac{1}{4}$, $W\frac{1}{2}NE\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$, $E\frac{1}{2}SW\frac{1}{4}$;
 Sec. 28, lots 3 to 6, inclusive, and lots 11 to 19, inclusive, $SW\frac{1}{4}SW\frac{1}{4}$;
 Sec. 29, lots 1 to 9, inclusive, $SE\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}$;
 Sec. 30, lots 1 to 10, inclusive, $NE\frac{1}{4}NW\frac{1}{4}$;
 Sec. 31, lots 1 to 10, inclusive, $SE\frac{1}{4}$, $E\frac{1}{2}NE\frac{1}{4}$, $SW\frac{1}{4}NE\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}$;
 Sec. 32, lots 1, 2, and 3, $N\frac{1}{2}$, $SW\frac{1}{4}$, $W\frac{1}{2}SE\frac{1}{4}$;
 Sec. 33, lots 1 to 17, inclusive, $SW\frac{1}{4}NE\frac{1}{4}$, $NW\frac{1}{4}NW\frac{1}{4}$, $S\frac{1}{2}SE\frac{1}{4}$,
 $NW\frac{1}{4}SE\frac{1}{4}$;
 Sec. 34, lots 1 to 7, inclusive, and lots 9 to 14, inclusive, $N\frac{1}{2}NE\frac{1}{4}$,
 $SW\frac{1}{4}NE\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}$, $S\frac{1}{2}SW\frac{1}{4}$, $SE\frac{1}{4}SE\frac{1}{4}$.

Containing 12,748.25 acres, as shown on the plat of survey officially filed on August 31, 1984, and the supplemental plat of survey officially filed on January 11, 2008.

T. 14 N., R. 64 W.,
 Sec. 20, lots 1, 2, and 3;
 Sec. 21, lots 3, 4, and 5;
 Sec. 22, lots 3, 4, and 5, and lots 7, and 8;
 Sec. 23, lot 2;
 Sec. 24, lots 2, 3, 5, and 6;

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Sec. 26, lots 1 and 3;
 Sec. 27, lots 5 to 8, inclusive;
 Sec. 28, lot 2, and lots 5, 6, and 7;
 Sec. 29, lots 3, 4, and 5;
 Sec. 32, lots 1, 2, and 3;
 Sec. 33, lots 1, 4, and 5;
 Sec. 34, lot 5, and lots 7, 8, and 9;
 Sec. 35, lots 1, 4, and 5.

Containing 6,036.89 acres, as shown on the plat of survey accepted on May 28, 1980, the plat of photogrammetric resurvey officially filed on November 3, 2004, the plat of photogrammetric resurvey officially filed on January 31, 2006, the plat of photogrammetric resurvey officially filed on June 19, 2007, the plat of dependent resurvey and survey officially filed on July 13, 2007, and the supplemental plat of survey officially filed on September 8, 2009.

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

Sec. 2, lots 2 to 6, inclusive, and lots 9 to 18, inclusive, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 3, lots 1 to 5, inclusive, SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 4, lots 1 and 2, S $\frac{1}{2}$, NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$;
 Sec. 5, lots 1 to 7, inclusive, S $\frac{1}{2}$;
 Sec. 6, lots 1 to 10, inclusive, SE $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 7, lots 1 to 9, inclusive, SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 8.

Containing 3,922.06 acres, as shown on plat of survey officially filed on August 31, 1984, the plat of retracement and survey officially filed on June 13, 2007, and the supplemental plat of survey officially filed on May 6, 2008.

T. 12 N., R. 65 W.,

Sec. 4, lots 1 and 2, E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 5, lots 1 to 14, inclusive, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 6, lots 1 to 11, inclusive, SE $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 7, lots 1 to 6, inclusive, NE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 8, lots 1 to 7, inclusive, E $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 9, lots 1 to 7, inclusive, S $\frac{1}{2}$, S $\frac{1}{2}$ NW $\frac{1}{4}$;

Sec. 15, lots 1 and 3, and lots 6 to 9, inclusive, NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$,
 SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 16, lots 1, 2, and 3, N $\frac{1}{2}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 17;
 Sec. 18, lots 1 to 14, inclusive, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 19, lots 1 to 8, inclusive, and lots 10 to 16, inclusive, NE $\frac{1}{4}$ NE $\frac{1}{4}$,
 SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 20, lots 1 to 7, inclusive, lot 10, and lots 12 to 17, inclusive,
 NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 21, lots 1 to 18, inclusive, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 22, lots 2 and 3, and lots 5 to 19, inclusive, E $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 27, lots 1 to 4, inclusive, NW $\frac{1}{4}$, SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$,
 NW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 28, lots 1, 2, and 3, NE $\frac{1}{4}$, SW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 29, lots 1 to 5, inclusive, S $\frac{1}{2}$, S $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 30, lots 1 to 6, inclusive, SE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$,
 E $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 31, lots 1 to 10, inclusive, N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$,
 SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 32, lots 1 to 6, inclusive, lots 10 and 11, and lots 13, 14, and 15,
 SW $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 33, lots 1, 2, and 3, and lots 8 to 11, inclusive;
 Sec. 34, lots 1 to 6, inclusive, E $\frac{1}{2}$ E $\frac{1}{2}$.

Containing 11,928.32 acres, as shown on the plat of survey officially filed on August 31, 1984, and the supplemental plat of survey officially filed on April 18, 2007.

T. 13 N., R. 65 W.,

Sec. 19, lots 1 to 17, inclusive, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 24, lots 2 to 8, inclusive, W $\frac{1}{2}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 25, lots 1 to 10, inclusive, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$,
 SW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 26, lots 1 to 5, inclusive, SW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$,
 SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 27, lots 1 and 2, S $\frac{1}{2}$, NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$;
 Sec. 28;
 Sec. 29, lots 1 to 6, inclusive, SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$,
 SW $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 30, lots 1 to 12, inclusive, $E\frac{1}{2}E\frac{1}{2}$, $SW\frac{1}{4}NE\frac{1}{4}$, $NW\frac{1}{4}SE\frac{1}{4}$;
 Sec. 31, lots 1 to 22, inclusive;
 Sec. 32, lots 1 to 8, inclusive, $NE\frac{1}{4}$, $NE\frac{1}{4}NW\frac{1}{4}$, $SW\frac{1}{4}SW\frac{1}{4}$, $E\frac{1}{2}SE\frac{1}{4}$;
 Secs. 33 and 34;
 Sec. 35, lots 1 to 8, inclusive, $N\frac{1}{2}NW\frac{1}{4}$, $SW\frac{1}{4}NW\frac{1}{4}$, $W\frac{1}{2}SW\frac{1}{4}$;
 Sec. 36, lots 1 to 7, inclusive, $SW\frac{1}{4}SE\frac{1}{4}$.

Containing 7,705.59 acres, as shown on the plat of survey officially filed on August 31, 1984, the plat of dependent resurvey, retracement and survey officially filed on June 21, 2007, and the supplemental plat of survey officially filed on May 2, 2008.

T. 11 N., R. 66 W.,

Sec. 1, lots 1 to 12, inclusive, $W\frac{1}{2}E\frac{1}{2}$, $SE\frac{1}{4}NE\frac{1}{4}$, $NW\frac{1}{4}SW\frac{1}{4}$, $NE\frac{1}{4}SE\frac{1}{4}$;
 Sec. 2, lots 1 to 8, inclusive, $NW\frac{1}{4}$, $W\frac{1}{2}NE\frac{1}{4}$, $SE\frac{1}{4}NE\frac{1}{4}$, $NE\frac{1}{4}SW\frac{1}{4}$,
 $E\frac{1}{2}SE\frac{1}{4}$, $NW\frac{1}{4}SE\frac{1}{4}$;
 Sec. 3, lots 3 to 7, inclusive, lots 9 to 12, inclusive, and lots 14 to 18,
 inclusive, $NE\frac{1}{4}$;
 Sec. 4, lots 8 to 11, inclusive;
 Sec. 5, lots 2 to 5, inclusive, and lots 7, 8, and 9;
 Sec. 6, lots 1 to 19, inclusive;
 Sec. 7, lots 1 to 4, inclusive, and lots 10 to 13, inclusive;
 Sec. 8, lots 4 to 12, inclusive;
 Sec. 9, lot 1, $S\frac{1}{2}$, $NE\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}$, $SW\frac{1}{4}NW\frac{1}{4}$;
 Sec. 10, lots 1 to 5, inclusive, $S\frac{1}{2}$, $S\frac{1}{2}NE\frac{1}{4}$, $W\frac{1}{2}NW\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$;
 Sec. 11, lots 1 to 7, inclusive, $S\frac{1}{2}$, $S\frac{1}{2}NE\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$;
 Sec. 12, lots 1 to 19, inclusive, $SW\frac{1}{4}SE\frac{1}{4}$;
 Sec. 13, lots 1 to 6, inclusive, $S\frac{1}{2}$, $W\frac{1}{2}NE\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}$;
 Sec. 14, lots 1 to 5, inclusive, and lots 8 to 11, inclusive, $W\frac{1}{2}NE\frac{1}{4}$,
 $NE\frac{1}{4}NE\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}$, $NE\frac{1}{4}SW\frac{1}{4}$, $SE\frac{1}{4}SE\frac{1}{4}$;
 Sec. 15, lots 1 to 5, inclusive, lots 8 and 9, and lots 12 to 15, inclusive,
 $N\frac{1}{2}N\frac{1}{2}$;
 Sec. 16, lots 1 to 10, inclusive, $SW\frac{1}{4}$, $N\frac{1}{2}NE\frac{1}{4}$, $W\frac{1}{2}NW\frac{1}{4}$, $NE\frac{1}{4}NW\frac{1}{4}$,
 $S\frac{1}{2}SE\frac{1}{4}$;
 Sec. 17, lots 1 to 7, inclusive, $E\frac{1}{2}$, $E\frac{1}{2}SW\frac{1}{4}$;
 Sec. 18, lots 1 to 10, inclusive;
 Sec. 19, lots 1 to 12, inclusive, $NW\frac{1}{4}SE\frac{1}{4}$;
 Sec. 20, lots 1, 2, and 3, lots 5 and 6, lots 9, 10, and 11, and lots 14, 15,
 and 16, $E\frac{1}{2}NE\frac{1}{4}$, $NW\frac{1}{4}NE\frac{1}{4}$, $NE\frac{1}{4}NW\frac{1}{4}$;
 Sec. 21, lots 1 to 14, inclusive, and lot 17, $NW\frac{1}{4}$, $N\frac{1}{2}NE\frac{1}{4}$;

Sec. 22, lots 2, 8, and 9, and lots 11 to 19, inclusive;
 Sec. 23, lot 1, lots 3, 4, and 5, and lots 11 to 18, inclusive, NE $\frac{1}{4}$,
 S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 26, lots 2 and 3, and lots 7 to 18, inclusive, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 27, lots 1 to 4, inclusive, E $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 28, lots 3 to 6, inclusive, and lots 8 to 15, inclusive, SW $\frac{1}{4}$,
 W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 29, lots 1 to 9, inclusive, E $\frac{1}{2}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 30, lots 1 to 8, inclusive, NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 31, lots 1 to 8, inclusive, NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 32, lots 1, 2, and 3, E $\frac{1}{2}$, SW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 33, lots 1 to 13, inclusive, W $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 34, lots 1 to 8, inclusive, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$,
 NE $\frac{1}{4}$ SE $\frac{1}{4}$.

Containing 14,964.37 acres, as shown on the plat of survey officially filed on August 31, 1984, the plat of dependent resurvey, retracement and survey officially filed on June 21, 2007, the plat of photogrammetric resurvey and segregation survey officially filed on November 2, 2007, the plat of segregation survey officially filed on December 16, 2008, and the supplemental plat of survey officially filed on March 29, 2012.

T. 12 N., R. 66 W.,
 Sec. 1, lots 1 to 10, inclusive, N $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 2, lots 1 to 4, inclusive, W $\frac{1}{2}$, NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 3;
 Sec. 4, lots 1 and 2, and lots 4 to 7, inclusive, N $\frac{1}{2}$, E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 5, lots 1 to 8, inclusive, and lots 11, 12, and 13, E $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$,
 NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 6, lots 1, 2, and 3, and lots 6 to 13, inclusive, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$,
 W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 7, lots 1 to 18, inclusive, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 8, lots 4 and 5, and lots 7 to 23, inclusive, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 9, lots 4, 5, and 6, and lots 8 to 17, inclusive, E $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$,
 E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 10, lots 1 to 4, inclusive, N $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 11, lots 1 to 5, inclusive, and lots 8, 9, and 10, W $\frac{1}{2}$ NW $\frac{1}{4}$,
 NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 12, lots 1 to 9, inclusive, SE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$;

Sec. 13, lots 1 to 6, inclusive, $E\frac{1}{2}E\frac{1}{2}$, $NW\frac{1}{4}NW\frac{1}{4}$, $SW\frac{1}{4}SE\frac{1}{4}$;
 Sec. 14, lot 1, and lots 4 to 10, inclusive, $E\frac{1}{2}NE\frac{1}{4}$, $SW\frac{1}{4}NE\frac{1}{4}$,
 $NW\frac{1}{4}SE\frac{1}{4}$;
 Sec. 15, lots 2, 3, and 4, and lots 6 to 16, inclusive, $E\frac{1}{2}NW\frac{1}{4}$, $SW\frac{1}{4}SW\frac{1}{4}$;
 Sec. 16, lots 1, 2, and 3, $S\frac{1}{2}$, $NW\frac{1}{4}$, $W\frac{1}{2}NE\frac{1}{4}$;
 Sec. 17, lots 1, 2, and 3, $S\frac{1}{2}$, $S\frac{1}{2}N\frac{1}{2}$, $NE\frac{1}{4}NE\frac{1}{4}$;
 Sec. 18, lots 1 to 9, inclusive, $SE\frac{1}{4}$, $E\frac{1}{2}W\frac{1}{2}$, $SW\frac{1}{4}NE\frac{1}{4}$;
 Sec. 19, lots 1 to 4, inclusive, $E\frac{1}{2}$, $E\frac{1}{2}W\frac{1}{2}$;
 Sec. 20;
 Sec. 21, lots 1 and 2, and lots 4 to 7, inclusive, $NW\frac{1}{4}$, $W\frac{1}{2}NE\frac{1}{4}$,
 $NE\frac{1}{4}NE\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}$, $NW\frac{1}{4}SE\frac{1}{4}$;
 Sec. 22, lots 1 to 7, inclusive;
 Sec. 23, lots 1 to 6, inclusive, $SE\frac{1}{4}$, $S\frac{1}{2}NE\frac{1}{4}$, $E\frac{1}{2}SW\frac{1}{4}$, $NW\frac{1}{4}SW\frac{1}{4}$, ;
 Sec. 24;
 Sec. 25, lots 1 to 9, inclusive, $NW\frac{1}{4}$, $W\frac{1}{2}NE\frac{1}{4}$, $NE\frac{1}{4}NE\frac{1}{4}$, $NW\frac{1}{4}SW\frac{1}{4}$;
 Sec. 26, lots 1 and 2, and lots 5 to 14, inclusive, $NE\frac{1}{4}$, $NE\frac{1}{4}SE\frac{1}{4}$;
 Sec. 27, lots 3, 4, and 5, and lots 10 to 21, inclusive;
 Sec. 28, lot 3, and lots 6 to 10, inclusive;
 Sec. 29, lots 1 to 8, inclusive, $N\frac{1}{2}$, $NW\frac{1}{4}SW\frac{1}{4}$, $NE\frac{1}{4}SE\frac{1}{4}$;
 Sec. 30, lots 1 to 8, inclusive, $NE\frac{1}{4}$, $E\frac{1}{2}W\frac{1}{2}$;
 Sec. 31, lots 1 to 7, inclusive, lots 10, 11, and 12, and lots 15 to 19,
 inclusive, $E\frac{1}{2}NE\frac{1}{4}$, $SW\frac{1}{4}NE\frac{1}{4}$;
 Sec. 32, lots 3 to 8, inclusive, lot 14, and lots 17, 18, and 19, $NW\frac{1}{4}NW\frac{1}{4}$;
 Sec. 33, lots 1 and 2;
 Sec. 34, lots 2, 3, and 5, and lots 9 to 12, inclusive, $S\frac{1}{2}NE\frac{1}{4}$, $NW\frac{1}{4}NE\frac{1}{4}$,
 $E\frac{1}{2}SE\frac{1}{4}$, $NW\frac{1}{4}SE\frac{1}{4}$;
 Sec. 35, lots 1, 2, and 3, $NE\frac{1}{4}$, $SW\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}$, $SW\frac{1}{4}NW\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}$;
 Sec. 36, lots 1 to 14, inclusive, $W\frac{1}{2}W\frac{1}{2}$, $NE\frac{1}{4}NE\frac{1}{4}$.

Containing 17,226.32 acres, as shown on the plat of survey officially filed on August 31,
 1984, the plat of segregation survey officially filed on October 30, 2007, and the
 supplemental plat of survey officially filed on April 5, 2012.

T. 11 N., R. 67 W.,

Sec. 1, lots 1, 2, and 7, and lots 9 to 16, inclusive, $SE\frac{1}{4}$, $E\frac{1}{2}NE\frac{1}{4}$;
 Sec. 12, lots 1, 2, and 3, $W\frac{1}{2}$, $W\frac{1}{2}E\frac{1}{2}$, $NE\frac{1}{4}NE\frac{1}{4}$;
 Sec. 13;
 Sec. 24, lots 1, 2, and 3, $N\frac{1}{2}$, $E\frac{1}{2}SW\frac{1}{4}$, $NW\frac{1}{4}SW\frac{1}{4}$, $W\frac{1}{2}SE\frac{1}{4}$;

Sec. 25, lots 1 to 10, inclusive, $W\frac{1}{2}NE\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$, $W\frac{1}{2}SW\frac{1}{4}$,
 $NE\frac{1}{4}SW\frac{1}{4}$;
Sec. 36, lots 1 to 11, inclusive, $W\frac{1}{2}W\frac{1}{2}$.

Containing 3,177.65 acres, as shown on the plat of survey officially filed on August 31, 1984, the supplements plat of survey officially filed on October 3, 2006, and the plat of dependent resurvey and survey officially filed on January 17, 2007.

T. 12 N., R. 67 W.,
Sec. 1, lots 4 to 8, inclusive, and lots 11 to 19, inclusive, $SW\frac{1}{4}SW\frac{1}{4}$,
 $SE\frac{1}{4}SE\frac{1}{4}$;
Sec. 12, lots 1 to 16, inclusive, $N\frac{1}{2}N\frac{1}{2}$, $SW\frac{1}{4}NE\frac{1}{4}$;
Sec. 13, lots 1, 2, and 3, $S\frac{1}{2}$, $NE\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}$;
Sec. 24;
Sec. 25, lots 1, 2, and 3, $N\frac{1}{2}$, $SE\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}$;
Sec. 36, lots 1 to 19, inclusive, $S\frac{1}{2}NW\frac{1}{4}$, $W\frac{1}{2}SW\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}$.

Containing 3,546.50 acres, as shown on the plat of survey officially filed on August 31, 1984, the plat of segregation survey officially filed on May 9, 2007, and the plat of dependent resurvey, retracement and survey officially filed on November 14, 2007.

Aggregating 81,258.59 acres.

Sec. 12(b) Lands

Seward Meridian, Alaska

T. 12 N., R. 65 W.,
Sec. 13, lots 1 to 6, inclusive, $S\frac{1}{2}$, $SE\frac{1}{4}NE\frac{1}{4}$, $W\frac{1}{2}NW\frac{1}{4}$, $NE\frac{1}{4}NW\frac{1}{4}$;
Sec. 23, lots 2 to 13, inclusive, $W\frac{1}{2}NE\frac{1}{4}$, $NE\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}$;
Sec. 24, lots 1 to 9, inclusive, $E\frac{1}{2}E\frac{1}{2}$, $NW\frac{1}{4}NE\frac{1}{4}$, $NW\frac{1}{4}SW\frac{1}{4}$,
 $SE\frac{1}{4}SW\frac{1}{4}$, $W\frac{1}{2}SE\frac{1}{4}$.

Containing 1,752.69 acres, as shown on the plat of survey officially filed on August 31, 1984, and the supplemental plat of survey officially filed on April 18, 2007.

Total aggregating of Secs. 12(a) and 12(b) is 83,011.28 acres.

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Patent No. _____

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

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

1. The subsurface estate therein, and all rights, privileges, immunities, and appurtenances, of whatsoever nature, accruing unto said estate pursuant to the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. § 1613(f); and
2. Pursuant to Sec. 17(b) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. § 1616(b) (1976), and the administrative record, including easement memoranda, the following public easements, referenced by Easement Identification Number (EIN) on the easement maps, copies of which can be found in the Bureau of Land Management's public land records, are reserved to the United States. All easements are subject to applicable Federal, State, or Municipal corporation regulation. The following is a listing of uses allowed for each type of easement. Any uses which are not specifically listed are prohibited.

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

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

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

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- b. (EIN 5 C4, D1) An easement twenty-five (25) feet in width for a proposed access trail from the Tuluksak Airport located in Sec. 27, T. 12 N., R. 66 W., Seward Meridian, thence easterly to the Tuluksak River Barge landing and public land. The uses allowed are those listed for a twenty-five (25) foot wide trail easement. The season of use is limited to winter.
- c. (EIN 13 C4) An easement twenty-five (25) feet in width for an existing access road in Sec. 27, T. 12 N., R. 66 W., Seward Meridian, from the easterly boundary of U. S. Survey No. 875, southeasterly to the westerly boundary of lot 2, U. S. Survey No. 4435, a distance of approximately three hundred (300) feet. The uses allowed are those listed for a twenty-five (25) foot wide road easement.
- d. (EIN 100 C4) An easement twenty (20) feet in width for an existing sewage outfall line running from the sewage lagoon, southwesterly, crossing a portion of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 27, T. 12 N., R. 66 W., Seward Meridian (lot 1, U. S. Survey No. 4435). The uses allowed are those activities associated with the construction, operation, and maintenance of the sewage outfall line.

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

- 1. Valid existing rights therein, if any, including but not limited to those created by any lease, contract, permit, right-of-way, or easement, and the right of the lessee, contractee, permittee or grantee to the complete enjoyment of all rights, privileges, and benefits thereby granted to him. Further, pursuant to Sec. 17(b)(2) of the Alaska Native Claims Settlement Act of December 18, 1971 (ANCSA), 43 U.S.C. § 1616(b)(2) (1976), any valid existing right recognized by ANCSA shall continue to have whatever right of access as is now provided for under existing law; and
- 2. Requirements of Sec. 14(c) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. § 1613(c), as amended, that the grantee

hereunder convey those portions, if any, of the lands hereinabove granted, as are prescribed in said section.

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat. 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in Anchorage, Alaska, the thirteenth day of September in the year of our Lord two thousand and twelve and of the Independence of the United States the two hundred and thirty-seventh.

/s/ Ramona Chinn

By _____
Ramona Chinn
Deputy State Director
Division of Alaska Lands

Location Index for Recording Information:

Return Recorded Document to:

Lots 4 & 5, USS 4435: Sec. 27,
T. 12 N., R. 66 W., SM

50-2012-0229

Patent No. _____

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The United States of America

To all to whom these presents shall come, Greeting:

Patent

F-14949-A
F-14949-A2

This patent is issued by the UNITED STATES, Department of the Interior, Bureau of Land Management, 222 West Seventh Avenue, #13, Anchorage, Alaska 99513-7504, as GRANTOR, to Calista Corporation, Attn: Land Department, 301 Calista Court, Suite A, Anchorage, Alaska 99518-3028, as GRANTEE, for lands in the Bethel and Kuskokwim Recording Districts.

WHEREAS

Calista Corporation

is entitled to a patent pursuant to Sec. 14(f) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. § 1613(f), of the subsurface estate reserved to the United States in the hereinbelow-identified patent of the surface estate in the following-described lands, which were transferred by Interim Conveyance Nos. 543, 1124, and 2125, on August 27, 1982, September 30, 1985, and July 30, 2008, respectively:

Patent No. 50-2012-0229

Sec. 12(a) Lands

Lots 4 and 5, U.S. Survey No. 4435, Alaska.

Containing 2.64 acres, as shown on the plat of survey officially filed on October 20, 1992.

Patent No. 50-2012-0230

Seward Meridian, Alaska

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

- Sec. 2, lots 2 to 10, inclusive, and lot 12, $W\frac{1}{2}E\frac{1}{2}$, $E\frac{1}{2}NW\frac{1}{4}$, $NW\frac{1}{4}NW\frac{1}{4}$;
Sec. 3, lots 1 to 11, inclusive, $N\frac{1}{2}NE\frac{1}{4}$, $SW\frac{1}{4}NE\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}$, $SE\frac{1}{4}SE\frac{1}{4}$;
Sec. 4, lots 1 to 11, inclusive;
Sec. 5, lots 1 to 11, inclusive, $E\frac{1}{2}W\frac{1}{2}$, $W\frac{1}{2}NE\frac{1}{4}$, $SW\frac{1}{4}NW\frac{1}{4}$,
 $NW\frac{1}{4}SW\frac{1}{4}$, $SW\frac{1}{4}SE\frac{1}{4}$;
Sec. 8, lots 1 to 14, inclusive, $SW\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}$, $SE\frac{1}{4}SE\frac{1}{4}$;
Sec. 9, lots 3, 6, and 7, and lots 9 to 15, inclusive, $S\frac{1}{2}SW\frac{1}{4}$;
Sec. 10, lots 1 to 9, inclusive, $E\frac{1}{2}E\frac{1}{2}$, $W\frac{1}{2}SW\frac{1}{4}$;
Sec. 11, lots 2 to 8, inclusive, and lots 11 to 15, inclusive, $W\frac{1}{2}SW\frac{1}{4}$,
 $S\frac{1}{2}SE\frac{1}{4}$, $NW\frac{1}{4}SE\frac{1}{4}$;
Sec. 14, lots 1 to 4, inclusive, $S\frac{1}{2}$, $NE\frac{1}{4}$;
Sec. 15, lots 1 to 10, inclusive, and lot 13, $NE\frac{1}{4}NE\frac{1}{4}$, $SE\frac{1}{4}SE\frac{1}{4}$;
Sec. 16, lots 1 to 13, inclusive, $N\frac{1}{2}NW\frac{1}{4}$;
Sec. 17, lots 1 to 8, inclusive, $NE\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}$, $NW\frac{1}{4}SE\frac{1}{4}$;
Sec. 18, lots 1 to 12, inclusive, and lots 14, 15, and 16, $W\frac{1}{2}SE\frac{1}{4}$,
 $NE\frac{1}{4}SE\frac{1}{4}$;
Sec. 19, lots 1, 2, and 3, and lots 5 to 15, inclusive, $SE\frac{1}{4}NW\frac{1}{4}$, $W\frac{1}{2}SE\frac{1}{4}$;
Sec. 20, lot 1, and lots 4 to 15, inclusive;
Sec. 21, lots 1 to 10, inclusive;
Sec. 22, lots 2 and 4, and lots 7 to 14, inclusive, $E\frac{1}{2}NE\frac{1}{4}$, $SW\frac{1}{4}SE\frac{1}{4}$;
Sec. 23, lots 1 to 4, inclusive, $N\frac{1}{2}$, $N\frac{1}{2}SE\frac{1}{4}$, $SE\frac{1}{4}SE\frac{1}{4}$;
Sec. 24, lots 1 to 13, inclusive, $W\frac{1}{2}W\frac{1}{2}$, $NE\frac{1}{4}NW\frac{1}{4}$, $S\frac{1}{2}SE\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}$;
Sec. 27, lots 1 to 8, inclusive, $SE\frac{1}{4}$, $W\frac{1}{2}NE\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$, $E\frac{1}{2}SW\frac{1}{4}$;
Sec. 28, lots 3 to 6, inclusive, and lots 11 to 19, inclusive, $SW\frac{1}{4}SW\frac{1}{4}$;
Sec. 29, lots 1 to 9, inclusive, $SE\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}$;
Sec. 30, lots 1 to 10, inclusive, $NE\frac{1}{4}NW\frac{1}{4}$;
Sec. 31, lots 1 to 10, inclusive, $SE\frac{1}{4}$, $E\frac{1}{2}NE\frac{1}{4}$, $SW\frac{1}{4}NE\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}$;
Sec. 32, lots 1, 2, and 3, $N\frac{1}{2}$, $SW\frac{1}{4}$, $W\frac{1}{2}SE\frac{1}{4}$;
Sec. 33, lots 1 to 17, inclusive, $SW\frac{1}{4}NE\frac{1}{4}$, $NW\frac{1}{4}NW\frac{1}{4}$, $S\frac{1}{2}SE\frac{1}{4}$,
 $NW\frac{1}{4}SE\frac{1}{4}$;
Sec. 34, lots 1 to 7, inclusive, and lots 9 to 14, inclusive, $N\frac{1}{2}NE\frac{1}{4}$,
 $SW\frac{1}{4}NE\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}$, $S\frac{1}{2}SW\frac{1}{4}$, $SE\frac{1}{4}SE\frac{1}{4}$.

Containing 12,748.25 acres, as shown on the plat of survey officially filed on August 31, 1984, and the supplemental plat of survey officially filed on January 11, 2008.

T. 14 N., R. 64 W.,
Sec. 20, lots 1, 2, and 3;
Sec. 21, lots 3, 4, and 5;
Sec. 22, lots 3, 4, and 5, and lots 7, and 8;
Sec. 23, lot 2;
Sec. 24, lots 2, 3, 5, and 6;
Sec. 26, lots 1 and 3;
Sec. 27, lots 5 to 8, inclusive;
Sec. 28, lot 2, and lots 5, 6, and 7;
Sec. 29, lots 3, 4, and 5;
Sec. 32, lots 1, 2, and 3;
Sec. 33, lots 1, 4, and 5;
Sec. 34, lot 5, and lots 7, 8, and 9;
Sec. 35, lots 1, 4, and 5.

Containing 6,036.89 acres, as shown on the plat of survey accepted on May 28, 1980, the plat of photogrammetric resurvey officially filed on November 3, 2004, the plat of photogrammetric resurvey officially filed on January 31, 2006, the plat of photogrammetric resurvey officially filed on June 19, 2007, the plat of dependent resurvey and survey officially filed on July 13, 2007, and the supplemental plat of survey officially filed on September 8, 2009.

T. 11 N., R. 65 W.,
Sec. 2, lots 2 to 6, inclusive, and lots 9 to 18, inclusive, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 3, lots 1 to 5, inclusive, SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 4, lots 1 and 2, S $\frac{1}{2}$, NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$;
Sec. 5, lots 1 to 7, inclusive, S $\frac{1}{2}$;
Sec. 6, lots 1 to 10, inclusive, SE $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 7, lots 1 to 9, inclusive, SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 8.

Containing 3,922.06 acres, as shown on plat of survey officially filed on August 31, 1984, the plat of retracement and survey officially filed on June 13, 2007, and the supplemental plat of survey officially filed on May 6, 2008.

T. 12 N., R. 65 W.,
Sec. 4, lots 1 and 2, E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 5, lots 1 to 14, inclusive, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$;

Sec. 6, lots 1 to 11, inclusive, SE $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 7, lots 1 to 6, inclusive, NE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 8, lots 1 to 7, inclusive, E $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 9, lots 1 to 7, inclusive, S $\frac{1}{2}$, S $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 15, lots 1 and 3, and lots 6 to 9, inclusive, NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$,
 SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 16, lots 1, 2, and 3, N $\frac{1}{2}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 17;
 Sec. 18, lots 1 to 14, inclusive, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 19, lots 1 to 8, inclusive, and lots 10 to 16, inclusive, NE $\frac{1}{4}$ NE $\frac{1}{4}$,
 SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 20, lots 1 to 7, inclusive, lot 10, and lots 12 to 17, inclusive,
 NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 21, lots 1 to 18, inclusive, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 22, lots 2 and 3, and lots 5 to 19, inclusive, E $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$,
 Sec. 27, lots 1 to 4, inclusive, NW $\frac{1}{4}$, SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$,
 NW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 28, lots 1, 2, and 3, NE $\frac{1}{4}$, SW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 29, lots 1 to 5, inclusive, S $\frac{1}{2}$, S $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 30, lots 1 to 6, inclusive, SE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$,
 E $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 31, lots 1 to 10, inclusive, N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$,
 SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 32, lots 1 to 6, inclusive, lots 10 and 11, and lots 13, 14, and 15,
 SW $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 33, lots 1, 2, and 3, and lots 8 to 11, inclusive;
 Sec. 34, lots 1 to 6, inclusive, E $\frac{1}{2}$ E $\frac{1}{2}$.

Containing 11,928.32 acres, as shown on the plat of survey officially filed on August 31, 1984, and the supplemental plat of survey officially filed on April 18, 2007.

T. 13 N., R. 65 W.,

Sec. 19, lots 1 to 17, inclusive, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 24, lots 2 to 8, inclusive, W $\frac{1}{2}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 25, lots 1 to 10, inclusive, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$,
 SW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 26, lots 1 to 5, inclusive, SW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$,
 SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 27, lots 1 and 2, S $\frac{1}{2}$, NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$;

Sec. 28;
 Sec. 29, lots 1 to 6, inclusive, SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$,
 SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 30, lots 1 to 12, inclusive, E $\frac{1}{2}$ E $\frac{1}{2}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 31, lots 1 to 22, inclusive;
 Sec. 32, lots 1 to 8, inclusive, NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Secs. 33 and 34;
 Sec. 35, lots 1 to 8, inclusive, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 36, lots 1 to 7, inclusive, SW $\frac{1}{4}$ SE $\frac{1}{4}$.

Containing 7,705.59 acres, as shown on the plat of survey officially filed on August 31, 1984, the plat of dependent resurvey, retracement and survey officially filed on June 21, 2007, and the supplemental plat of survey officially filed on May 2, 2008.

T. 11 N., R. 66 W.,
 Sec. 1, lots 1 to 12, inclusive, W $\frac{1}{2}$ E $\frac{1}{2}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 2, lots 1 to 8, inclusive, NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$,
 E $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 3, lots 3 to 7, inclusive, lots 9 to 12, inclusive, and lots 14 to 18,
 inclusive, NE $\frac{1}{4}$;
 Sec. 4, lots 8 to 11, inclusive;
 Sec. 5, lots 2 to 5, inclusive, and lots 7, 8, and 9;
 Sec. 6, lots 1 to 19, inclusive;
 Sec. 7, lots 1 to 4, inclusive, and lots 10 to 13, inclusive;
 Sec. 8, lots 4 to 12, inclusive;
 Sec. 9, lot 1, S $\frac{1}{2}$, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 10, lots 1 to 5, inclusive, S $\frac{1}{2}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 11, lots 1 to 7, inclusive, S $\frac{1}{2}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 12, lots 1 to 19, inclusive, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 13, lots 1 to 6, inclusive, S $\frac{1}{2}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 14, lots 1 to 5, inclusive, and lots 8 to 11, inclusive, W $\frac{1}{2}$ NE $\frac{1}{4}$,
 NE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 15, lots 1 to 5, inclusive, lots 8 and 9, and lots 12 to 15, inclusive,
 N $\frac{1}{2}$ N $\frac{1}{2}$;
 Sec. 16, lots 1 to 10, inclusive, SW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$,
 S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 17, lots 1 to 7, inclusive, E $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 18, lots 1 to 10, inclusive;
 Sec. 19, lots 1 to 12, inclusive, NW $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 20, lots 1, 2, and 3, lots 5 and 6, lots 9, 10, and 11, and lots 14, 15,
 and 16, $E\frac{1}{2}NE\frac{1}{4}$, $NW\frac{1}{4}NE\frac{1}{4}$, $NE\frac{1}{4}NW\frac{1}{4}$;
 Sec. 21, lots 1 to 14, inclusive, and lot 17, $NW\frac{1}{4}$, $N\frac{1}{2}NE\frac{1}{4}$;
 Sec. 22, lots 2, 8, and 9, and lots 11 to 19, inclusive;
 Sec. 23, lot 1, lots 3, 4, and 5, and lots 11 to 18, inclusive, $NE\frac{1}{4}$,
 $S\frac{1}{2}NW\frac{1}{4}$, $NW\frac{1}{4}SW\frac{1}{4}$;
 Sec. 26, lots 2 and 3, and lots 7 to 18, inclusive, $SW\frac{1}{4}NW\frac{1}{4}$, $W\frac{1}{2}SW\frac{1}{4}$;
 Sec. 27, lots 1 to 4, inclusive, $E\frac{1}{2}$, $E\frac{1}{2}SW\frac{1}{4}$;
 Sec. 28, lots 3 to 6, inclusive, and lots 8 to 15, inclusive, $SW\frac{1}{4}$,
 $W\frac{1}{2}NW\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$;
 Sec. 29, lots 1 to 9, inclusive, $E\frac{1}{2}$, $SE\frac{1}{4}NW\frac{1}{4}$;
 Sec. 30, lots 1 to 8, inclusive, $NE\frac{1}{4}NE\frac{1}{4}$, $SE\frac{1}{4}SE\frac{1}{4}$;
 Sec. 31, lots 1 to 8, inclusive, $NE\frac{1}{4}NE\frac{1}{4}$, $SW\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}SE\frac{1}{4}$;
 Sec. 32, lots 1, 2, and 3, $E\frac{1}{2}$, $SW\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}$;
 Sec. 33, lots 1 to 13, inclusive, $W\frac{1}{2}NW\frac{1}{4}$, $NE\frac{1}{4}NW\frac{1}{4}$, $S\frac{1}{2}SE\frac{1}{4}$;
 Sec. 34, lots 1 to 8, inclusive, $NE\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}$, $NE\frac{1}{4}SW\frac{1}{4}$, $W\frac{1}{2}SE\frac{1}{4}$,
 $NE\frac{1}{4}SE\frac{1}{4}$.

Containing 14,964.37 acres, as shown on the plat of survey officially filed on August 31,
 1984, the plat of dependent resurvey, retracement and survey officially filed on June 21,
 2007, the plat of photogrammetric resurvey and segregation survey officially filed on
 November 2, 2007, the plat of segregation survey officially filed on December 16, 2008,
 and the supplemental plat of survey officially filed on March 29, 2012.

T. 12 N., R. 66 W.,

Sec. 1, lots 1 to 10, inclusive, $N\frac{1}{2}NW\frac{1}{4}$;
 Sec. 2, lots 1 to 4, inclusive, $W\frac{1}{2}$, $NE\frac{1}{4}$, $NW\frac{1}{4}SE\frac{1}{4}$;
 Sec. 3;
 Sec. 4, lots 1 and 2, and lots 4 to 7, inclusive, $N\frac{1}{2}$, $E\frac{1}{2}SE\frac{1}{4}$;
 Sec. 5, lots 1 to 8, inclusive, and lots 11, 12, and 13, $E\frac{1}{2}NE\frac{1}{4}$, $NW\frac{1}{4}NE\frac{1}{4}$,
 $NE\frac{1}{4}SE\frac{1}{4}$;
 Sec. 6, lots 1, 2, and 3, and lots 6 to 13, inclusive, $SW\frac{1}{4}NE\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}$,
 $W\frac{1}{2}SE\frac{1}{4}$;
 Sec. 7, lots 1 to 18, inclusive, $SW\frac{1}{4}NE\frac{1}{4}$, $NE\frac{1}{4}NW\frac{1}{4}$;
 Sec. 8, lots 4 and 5, and lots 7 to 23, inclusive, $SE\frac{1}{4}NW\frac{1}{4}$, $SE\frac{1}{4}SE\frac{1}{4}$;
 Sec. 9, lots 4, 5, and 6, and lots 8 to 17, inclusive, $E\frac{1}{2}NE\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$,
 $E\frac{1}{2}SW\frac{1}{4}$, $SW\frac{1}{4}SW\frac{1}{4}$, $SW\frac{1}{4}SE\frac{1}{4}$;
 Sec. 10, lots 1 to 4, inclusive, $N\frac{1}{2}$, $E\frac{1}{2}SW\frac{1}{4}$, $NW\frac{1}{4}SE\frac{1}{4}$;

Sec. 11, lots 1 to 5, inclusive, and lots 8, 9, and 10, $W\frac{1}{2}NW\frac{1}{4}$,
 $NE\frac{1}{4}NW\frac{1}{4}$, $SE\frac{1}{4}SE\frac{1}{4}$;
 Sec. 12, lots 1 to 9, inclusive, $SE\frac{1}{4}NW\frac{1}{4}$, $W\frac{1}{2}SW\frac{1}{4}$;
 Sec. 13, lots 1 to 6, inclusive, $E\frac{1}{2}E\frac{1}{2}$, $NW\frac{1}{4}NW\frac{1}{4}$, $SW\frac{1}{4}SE\frac{1}{4}$;
 Sec. 14, lot 1, and lots 4 to 10, inclusive, $E\frac{1}{2}NE\frac{1}{4}$, $SW\frac{1}{4}NE\frac{1}{4}$,
 $NW\frac{1}{4}SE\frac{1}{4}$;
 Sec. 15, lots 2, 3, and 4, and lots 6 to 16, inclusive, $E\frac{1}{2}NW\frac{1}{4}$, $SW\frac{1}{4}SW\frac{1}{4}$;
 Sec. 16, lots 1, 2, and 3, $S\frac{1}{2}$, $NW\frac{1}{4}$, $W\frac{1}{2}NE\frac{1}{4}$;
 Sec. 17, lots 1, 2, and 3, $S\frac{1}{2}$, $S\frac{1}{2}N\frac{1}{2}$, $NE\frac{1}{4}NE\frac{1}{4}$;
 Sec. 18, lots 1 to 9, inclusive, $SE\frac{1}{4}$, $E\frac{1}{2}W\frac{1}{2}$, $SW\frac{1}{4}NE\frac{1}{4}$;
 Sec. 19, lots 1 to 4, inclusive, $E\frac{1}{2}$, $E\frac{1}{2}W\frac{1}{2}$;
 Sec. 20;
 Sec. 21, lots 1 and 2, and lots 4 to 7, inclusive, $NW\frac{1}{4}$, $W\frac{1}{2}NE\frac{1}{4}$,
 $NE\frac{1}{4}NE\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}$, $NW\frac{1}{4}SE\frac{1}{4}$;
 Sec. 22, lots 1 to 7, inclusive;
 Sec. 23, lots 1 to 6, inclusive, $SE\frac{1}{4}$, $S\frac{1}{2}NE\frac{1}{4}$, $E\frac{1}{2}SW\frac{1}{4}$, $NW\frac{1}{4}SW\frac{1}{4}$;
 Sec. 24;
 Sec. 25, lots 1 to 9, inclusive, $NW\frac{1}{4}$, $W\frac{1}{2}NE\frac{1}{4}$, $NE\frac{1}{4}NE\frac{1}{4}$, $NW\frac{1}{4}SW\frac{1}{4}$;
 Sec. 26, lots 1 and 2, and lots 5 to 14, inclusive, $NE\frac{1}{4}$, $NE\frac{1}{4}SE\frac{1}{4}$;
 Sec. 27, lots 3, 4, and 5, and lots 10 to 21, inclusive;
 Sec. 28, lot 3, and lots 6 to 10, inclusive;
 Sec. 29, lots 1 to 8, inclusive, $N\frac{1}{2}$, $NW\frac{1}{4}SW\frac{1}{4}$, $NE\frac{1}{4}SE\frac{1}{4}$;
 Sec. 30, lots 1 to 8, inclusive, $NE\frac{1}{4}$, $E\frac{1}{2}W\frac{1}{2}$;
 Sec. 31, lots 1 to 7, inclusive, lots 10, 11, and 12, and lots 15 to 19,
 inclusive, $E\frac{1}{2}NE\frac{1}{4}$, $SW\frac{1}{4}NE\frac{1}{4}$;
 Sec. 32, lots 3 to 8, inclusive, lot 14, and lots 17, 18, and 19, $NW\frac{1}{4}NW\frac{1}{4}$;
 Sec. 33, lots 1 and 2;
 Sec. 34, lots 2, 3, and 5, and lots 9 to 12, inclusive, $S\frac{1}{2}NE\frac{1}{4}$, $NW\frac{1}{4}NE\frac{1}{4}$,
 $E\frac{1}{2}SE\frac{1}{4}$, $NW\frac{1}{4}SE\frac{1}{4}$;
 Sec. 35, lots 1, 2, and 3, $NE\frac{1}{4}$, $SW\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}$, $SW\frac{1}{4}NW\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}$;
 Sec. 36, lots 1 to 14, inclusive, $W\frac{1}{2}W\frac{1}{2}$, $NE\frac{1}{4}NE\frac{1}{4}$.

Containing 17,226.32 acres, as shown on the plat of survey officially filed on August 31,
 1984, the plat of segregation survey officially filed on October 30, 2007, and the
 supplemental plat of survey officially filed on April 5, 2012.

T. 11 N., R. 67 W.,

Sec. 1, lots 1, 2, and 7, and lots 9 to 16, inclusive, $SE\frac{1}{4}$, $E\frac{1}{2}NE\frac{1}{4}$;

Sec. 12, lots 1, 2, and 3, $W\frac{1}{2}$, $W\frac{1}{2}E\frac{1}{2}$, $NE\frac{1}{4}$, $NE\frac{1}{4}$;

Patent No. 50-2012-0230

Sec. 13;
Sec. 24, lots 1, 2, and 3, N $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 25, lots 1 to 10, inclusive, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$,
NE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 36, lots 1 to 11, inclusive, W $\frac{1}{2}$ W $\frac{1}{2}$.

Containing 3,177.65 acres, as shown on the plat of survey officially filed on August 31, 1984, the supplements plat of survey officially filed on October 3, 2006, and the plat of dependent resurvey and survey officially filed on January 17, 2007.

T. 12 N., R. 67 W.,
Sec. 1, lots 4 to 8, inclusive, and lots 11 to 19, inclusive, SW $\frac{1}{4}$ SW $\frac{1}{4}$,
SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 12, lots 1 to 16, inclusive, N $\frac{1}{2}$ N $\frac{1}{2}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 13, lots 1, 2, and 3, S $\frac{1}{2}$, NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 24;
Sec. 25, lots 1, 2, and 3, N $\frac{1}{2}$, SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 36, lots 1 to 19, inclusive, S $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$.

Containing 3,546.50 acres, as shown on the plat of survey officially filed on August 31, 1984, the plat of segregation survey officially filed on May 9, 2007, and the plat of dependent resurvey, retracement and survey officially filed on November 14, 2007.

Aggregating 81,258.59 acres.

Sec. 12(b) Lands

Seward Meridian, Alaska

T. 12 N., R. 65 W.,
Sec. 13, lots 1 to 6, inclusive, S $\frac{1}{2}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 23, lots 2 to 13, inclusive, W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 24, lots 1 to 9, inclusive, E $\frac{1}{2}$ E $\frac{1}{2}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$,
W $\frac{1}{2}$ SE $\frac{1}{4}$.

Containing 1,752.69 acres, as shown on the plat of survey officially filed on August 31, 1984, and the supplemental plat of survey officially filed on April 18, 2007.

Total aggregating of Secs. 12(a) and 12(b) is 83,011.28 acres.

Patent No. 50-2012-0230

NOW KNOW YE, that there is, therefore, granted by the UNITED STATES OF AMERICA, unto the above-named corporation the subsurface estate in the lands 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:

1. All the easements and rights-of-way referenced in the aforementioned patent of the surface estate, and to valid existing rights therein, if any, in the said subsurface estate, including but not limited to those created by any lease, contract, permit, right-of-way, or easement, and the right of the lessee, contractee, permittee, or grantee to the complete enjoyment of all rights, privileges, and benefits thereby granted to him; and
2. Requirements of Sec. 14(f) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. § 1613(f), that the right to explore, develop, or remove minerals from the subsurface estate in the lands herein conveyed which are within the boundaries of the Native village of Tuluksak, shall be subject to the consent of Tulkisarmute, Incorporated.

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat. 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in Anchorage, Alaska, the thirteenth day of September in the year of our Lord two thousand and twelve and of the Independence of the United States the two hundred and thirty-seventh.

By /s/ Ramona Chinn

Ramona Chinn
Deputy State Director
Division of Alaska Lands

Location Index for Recording Information:

Return Recorded Document to:

Lots 4 & 5, USS 4435: Sec. 27, T. 12 N.,
R. 66 W., SM

Patent No. 50-2012-0230

Bogus Creek Interim Report Attachment 21

SURVEYED TOWNSHIP 13 NORTH RANGE 64 WEST OF THE SEWARD MERIDIAN, ALASKA

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP

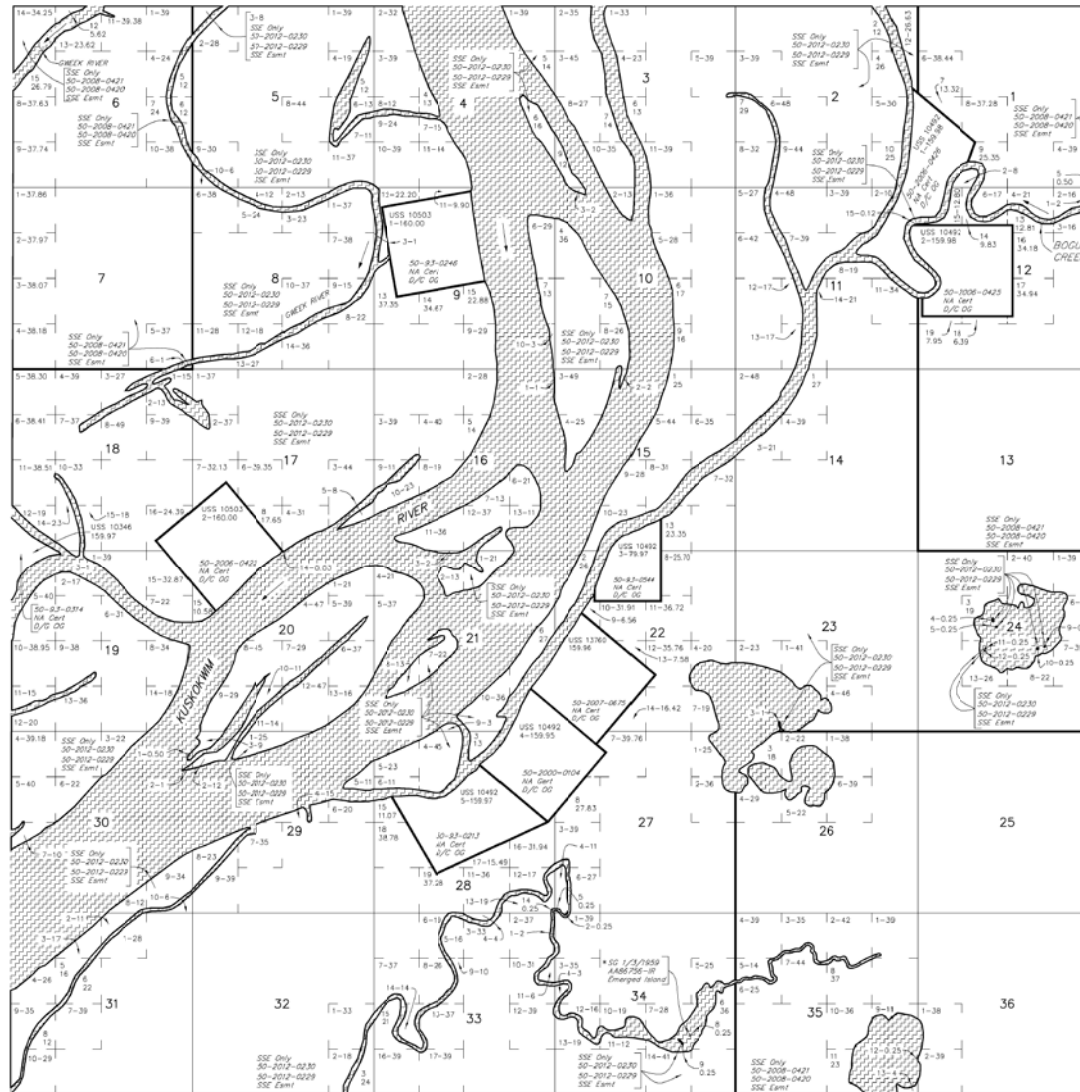
FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-IDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

PL 92-203 W/ F14949, Lds W/ F14949-A F14949-A2

PLD 5184 W/ Cr affects Lds/Interests not conveyed

PL 96-487 W/ Yukon Delta NWR entire Tp

* Islands del to have emerged from bed of nav water body which passed to State of Alaska under Equal Footing Doctrine at time of statehood. See AAB6756-39



Lot 61°10'00.64"N
Long 160°39'32.98"W

SCALE in chains
0 5 10 20 30 40

WARNING:
This plat is the Bureau's Record of Title, and should be used only as a graphic display of the township survey data. Records herein do not reflect the change which may have been effected by lateral movements of rivers or other bodies of water. Refer to the cadastral survey for official survey information.

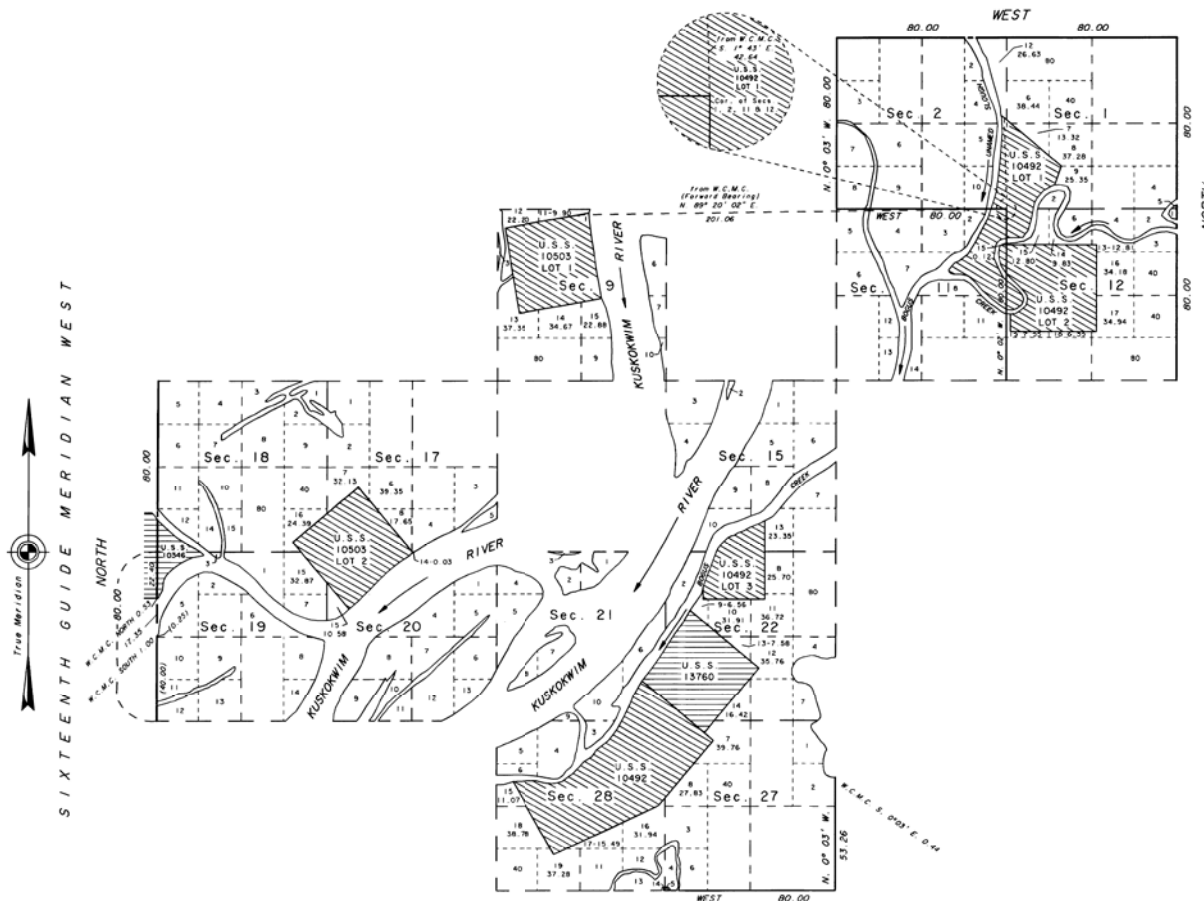
CURRENT TO		Sew Mer
9-27-2013		T 13 N
		R 64 W

ACAD

DATE JAN 11, 2008

TOWNSHIP 13 NORTH, RANGE 64 WEST, OF THE SEWARD MERIDIAN, ALASKA SUPPLEMENTAL PLAT

This supplemental plat of sections 1, 2, 9, 11, 12, 15, 17, 18, 19, 20, 21, 22, 27, and 28, Township 13 North, Range 64 West, Seward Meridian, Alaska, shows amended lotting and segregates U.S. Survey Nos. 10346, 10492, 10503, and 13760, Alaska. Except as indicated hereon, the lotting and areas are as shown on the plat approved August 1, 1984. These revisions are based upon official survey records; the plat of Township 13 North, Range 64 West, Seward Meridian, Alaska, accepted August 1, 1984; the plats of U.S. Survey Nos. 10346, 10492, and 10503, all accepted September 30, 1992; and the plat of U.S. Survey No. 13760, accepted April 13, 2007.



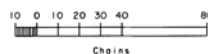
UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Anchorage, Alaska

This supplemental survey plat is based upon the official records, and having been correctly prepared in accordance with the regulations of this Bureau, is hereby accepted.

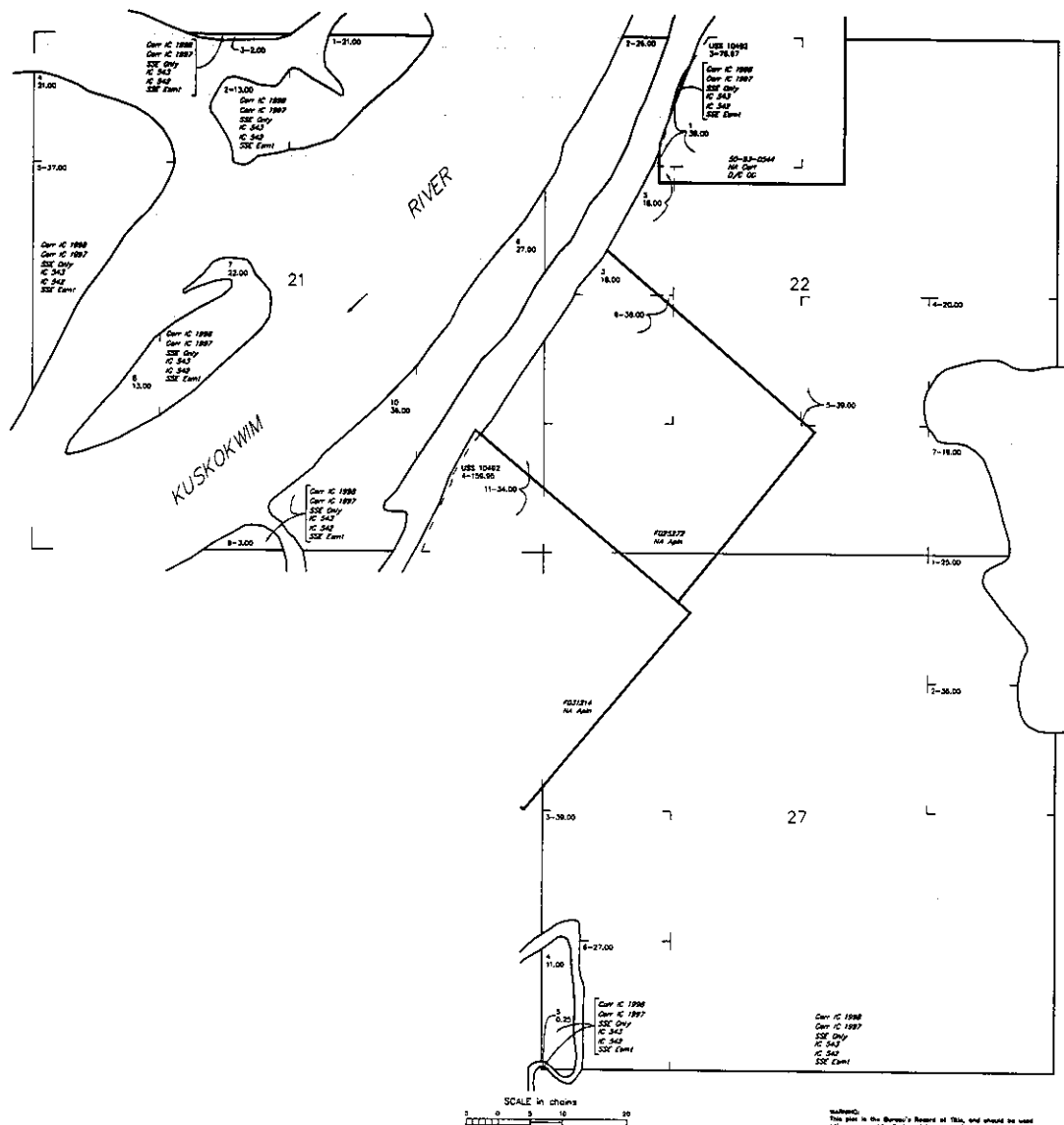
For the Director

John Smith July 13, 2007
Date

Deputy State Director for Cadastral Survey,
Alaska



SURVEYED TOWNSHIP 13 NORTH RANGE 64 WEST OF THE SEWARD MERIDIAN, ALASKA



STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP **SUPPL SECS 21,22,27** NO 2

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 AND F14949, LOTS 1/1 F14949-A, F14949-B

PLD 5184 AND C affects L&M interests not conveyed

PL 95-687 AND Tushnet Davis NMR entire 10

NOTES:
This plan is the Bureau's Record of this, and should be used
only as a graphic display of the Bureau's survey data. Rep-
roduction or use without the Bureau's written consent may be
affected by future measurements of rivers or other bodies of water.
Refer to the National Survey for official survey information.

CURRENT TO		NO 2
9-20-2006		See Mer
		T 13 N
		R 64 W

ACAD

SURVEYED TOWNSHIP 13 NORTH RANGE 64 WEST OF THE SEWARD MERIDIAN, ALASKA

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

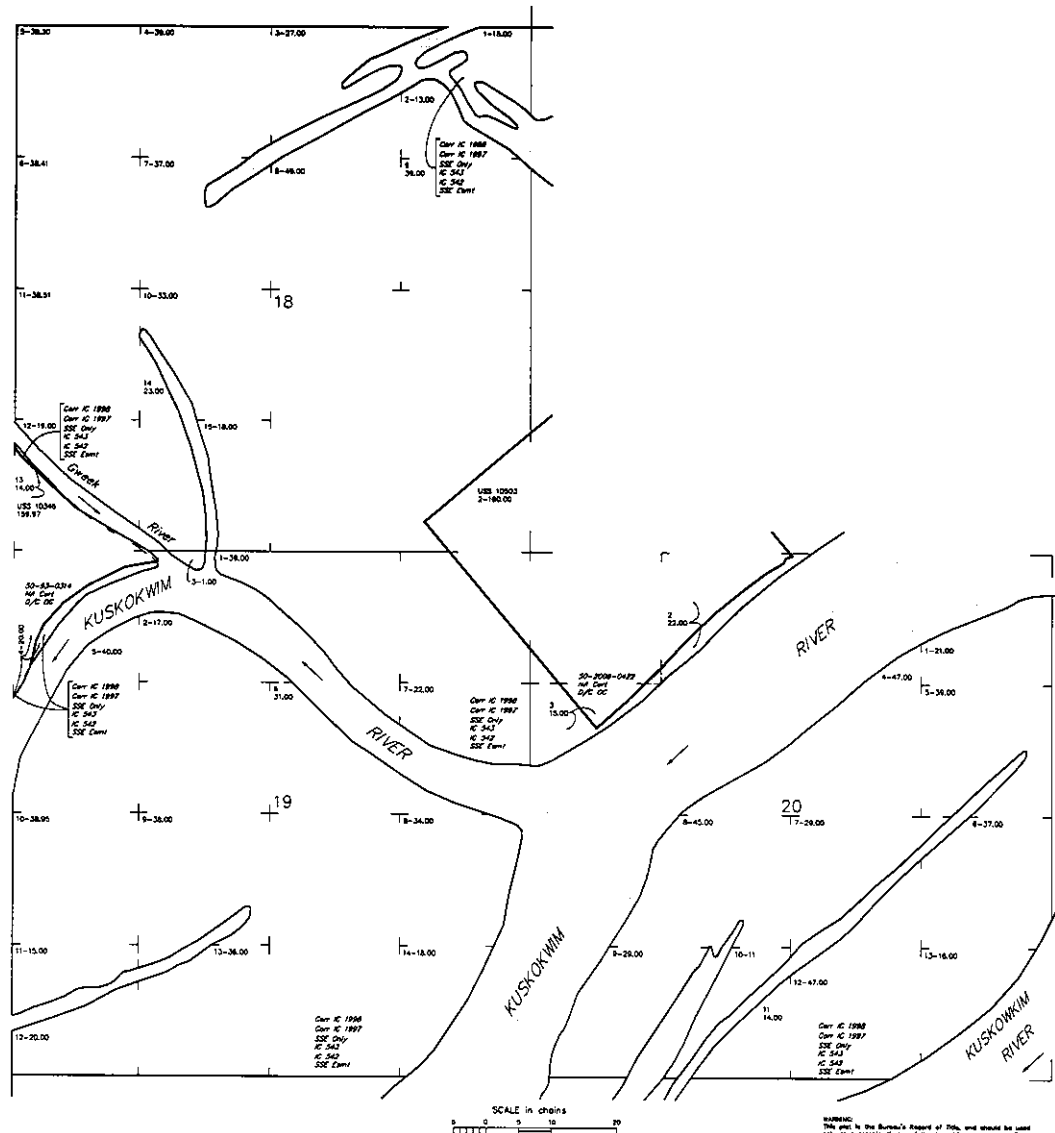
MTP SUPPL SECS 18,19,20 NO 1

FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-
IDENTIFIED LANDS WITHIN FOR CLASSIFICATION
MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES
REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

PL 92-203 AND PL 94-45, LAR W/1 PL 94-45-A, PL 94-45-B

PL 92-5184 W/1 OF affects LAR/Interests not conveyed

PL 96-487 W/1 Tuckers Dams NWR within Id.



WARNING:
This map is the Bureau's record of this, and should be used
only as a graphic display of the land survey data. Reg-
ulations herein do not affect the operation of the land survey
data, which are subject to the provisions of the Survey
Act, and the subsequent survey or official survey information.

CURRENT TO		NO 1
10-20-2008		See Map
		T 13 N
		R 64 W
		ACAD

SURVEYED TOWNSHIP 13 NORTH RANGE 63 WEST OF THE SEWARD MERIDIAN, ALASKA

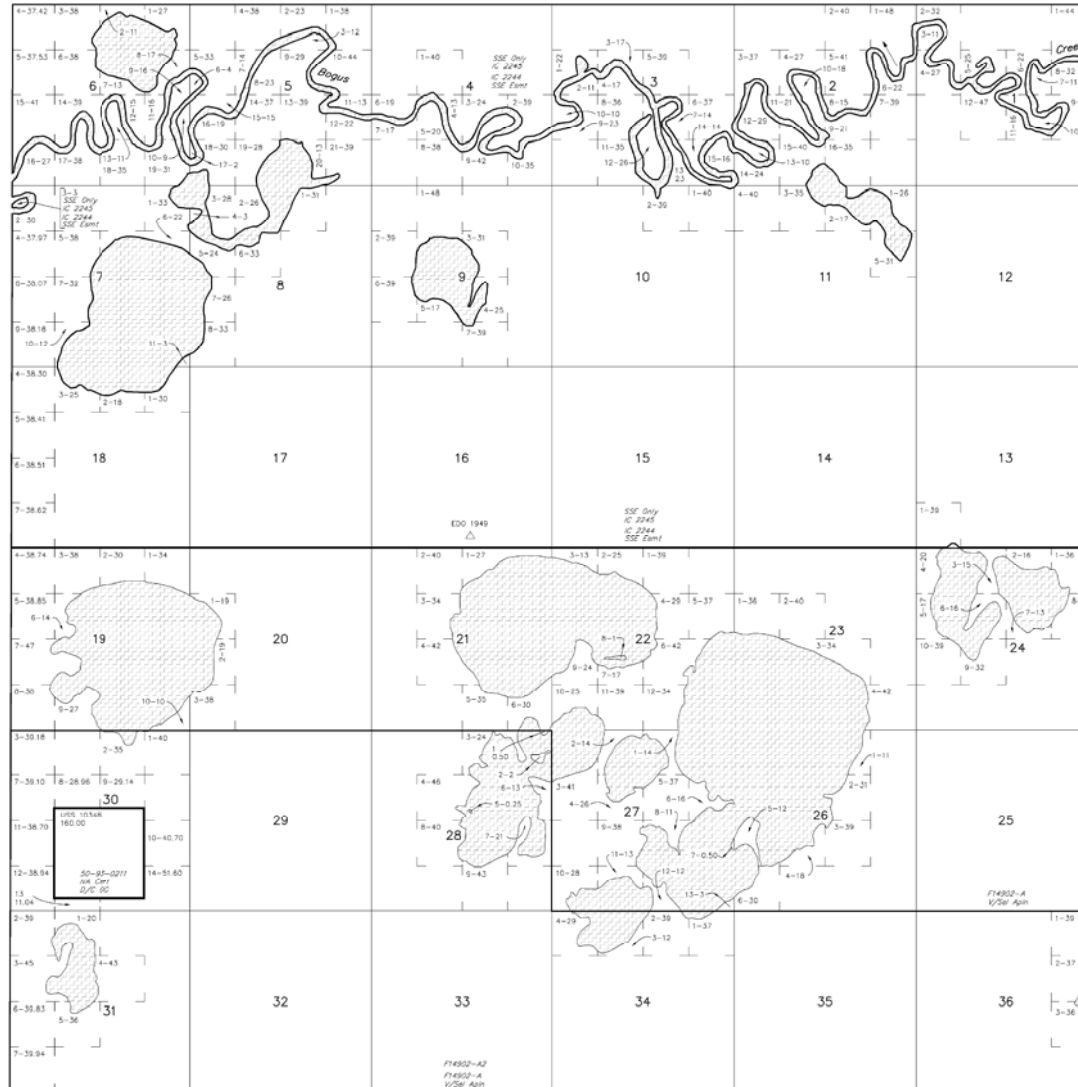
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP

FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-
IDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION
MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES
REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

PLO 5392 W&I & V/Reg Sel affects Lds/Interests
not conveyed

PL 96-487 W&I Yukon Delta NWR entire Tp



SCALE in chains
0 10 20 30 40

WARNING:
This plat is the Bureau's Record of Title, and should be used
only as a graphic display of the township survey data. Rec-
ords herein do not reflect title changes which may have been
affected by internal movements of rivers or other changes of water.
Refer to the cadastral surveys for official survey information.

Lat 61°10'04.67"N
Long 160°28'47.15"W

CURRENT TO		Sew Mer
1-27-2012		T 13 N
		R 63 W

ACAD

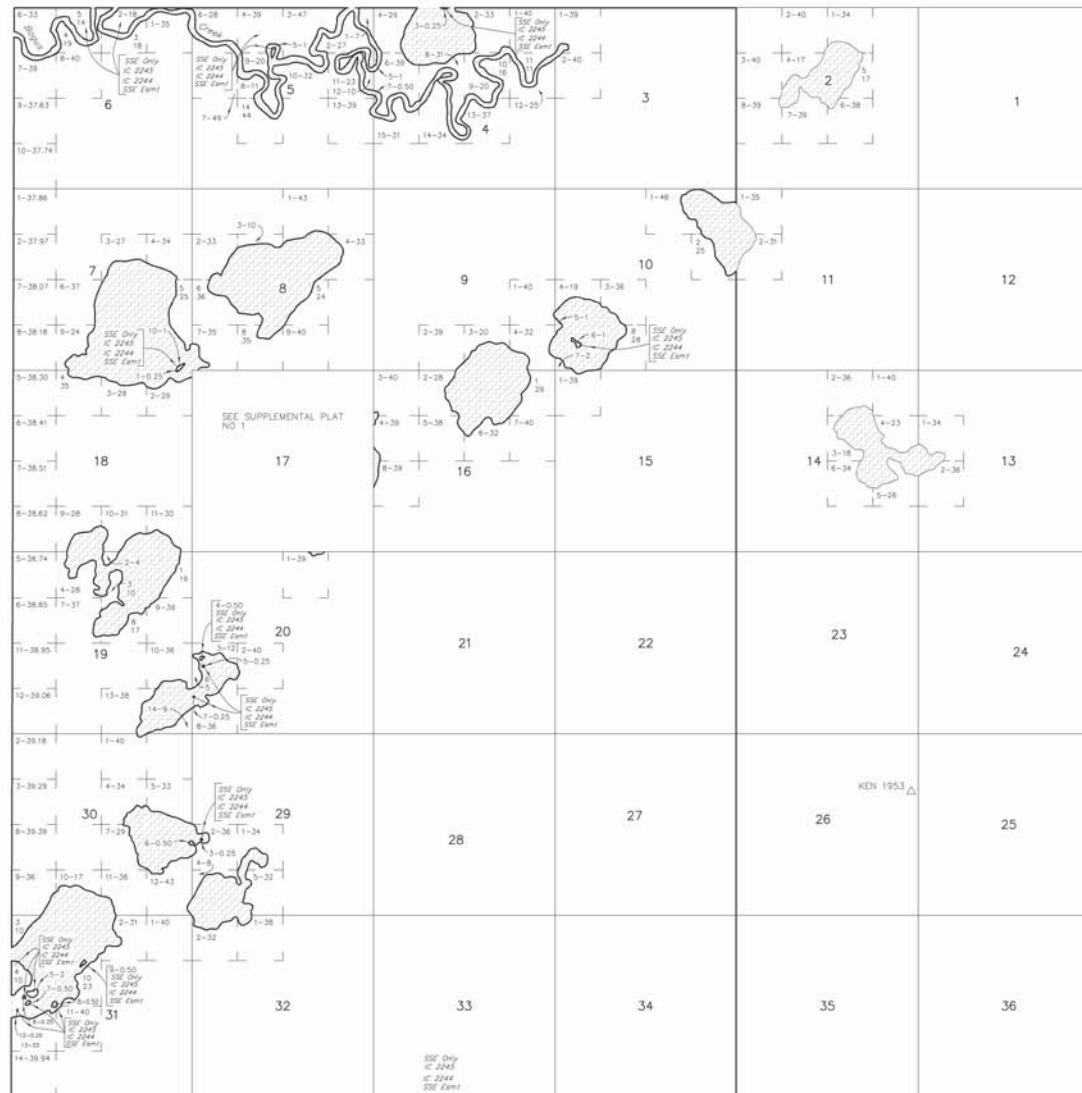
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

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.

PLD 5392 Will CI & V/Reg Sel affects Lds/interests
not conveyed

PL 96-487 Wd Yukon Delta NWR entire Tp

PL 92-203 With F14902, Ltrs With F14902-A, F14902-A2



Lat 61°10'00.64"N
 Long 160°18'01.33"W

SCALE in chains

WARNING:
This plot is the Bureau's Record of Title, and should be used only as a graphic display of the township survey data. Records herein do not reflect title changes which may have been effected by lateral movements of rivers or other bodies of water. Refer to the cadastral surveys for official survey information.

CURRENT TO		Sew Mer
1-27-2012		T 13 N
		R 62 W

ACAD

MERIDIAN, ALASKA

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP

[illegible]

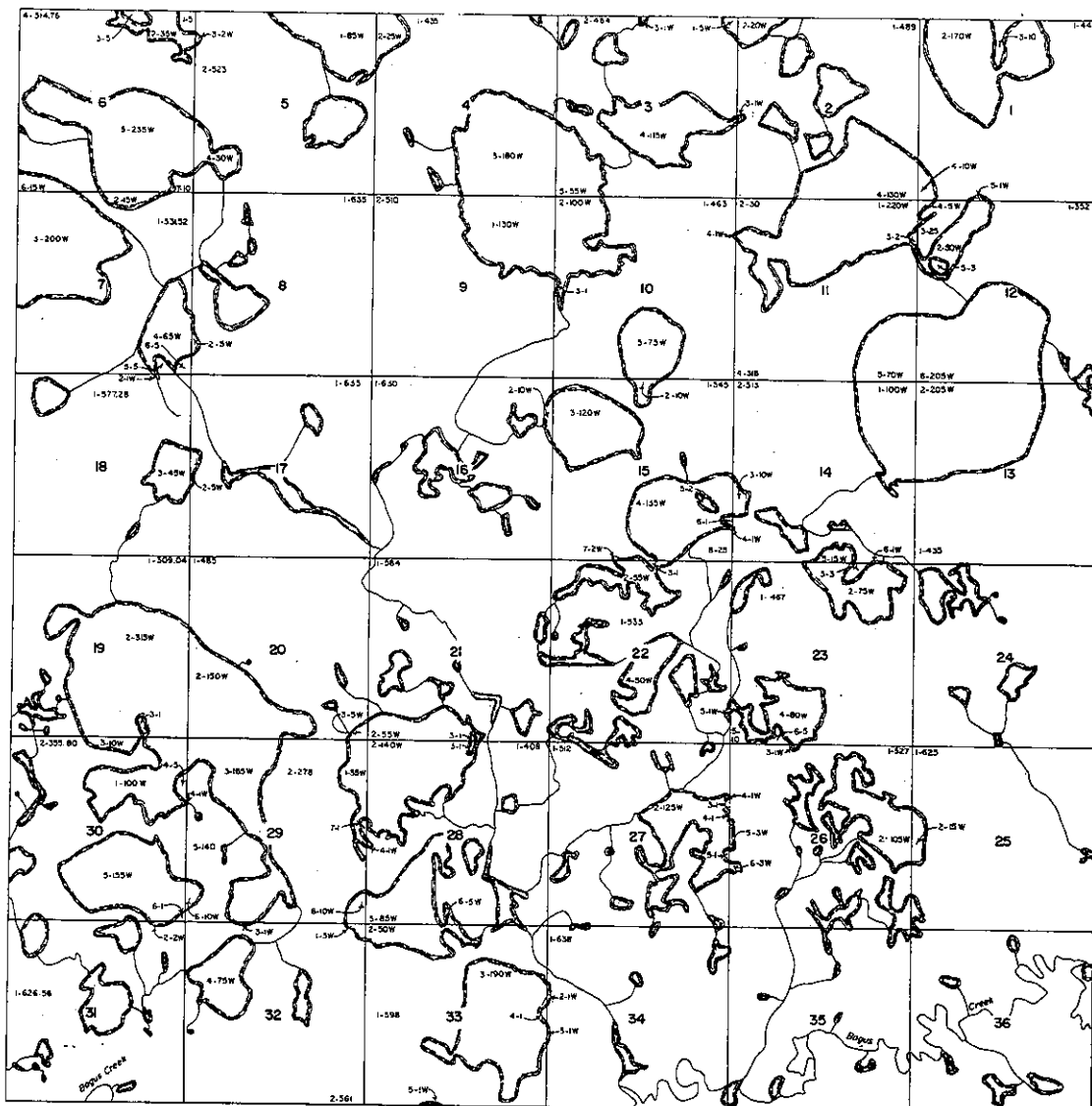
FOR ORDERS EFFECTING DISPOSAL OR USE OF UNIDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION, MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

PLO 5179 3/15/1972 Wd1 entire Tp And of Leg B Cl

PL0 5184 3/15/1972 Wdl online Tp CI

Not Recommended To Congress

PL 96-487 12-2-1990 WDL Entire To Yukon Delta NWR



Lat 6°15'12.59"N
Long 160°18'01.33"W

WARNING STATEMENT
This plot is the Bureau's Record of Tide, and should be used only as a graphic display of the township survey data. Records herein do not reflect tide changes which may have been effected by lateral movements of rivers or other bodies of water. Refer to the coastal surveys for official survey information.

[illegible]

Saw Mor
T. 14 N
R. 62 W

SURVEYED TOWNSHIP 14 NORTH RANGE 61 WEST OF THE SEWARD MERIDIAN, ALASKA

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

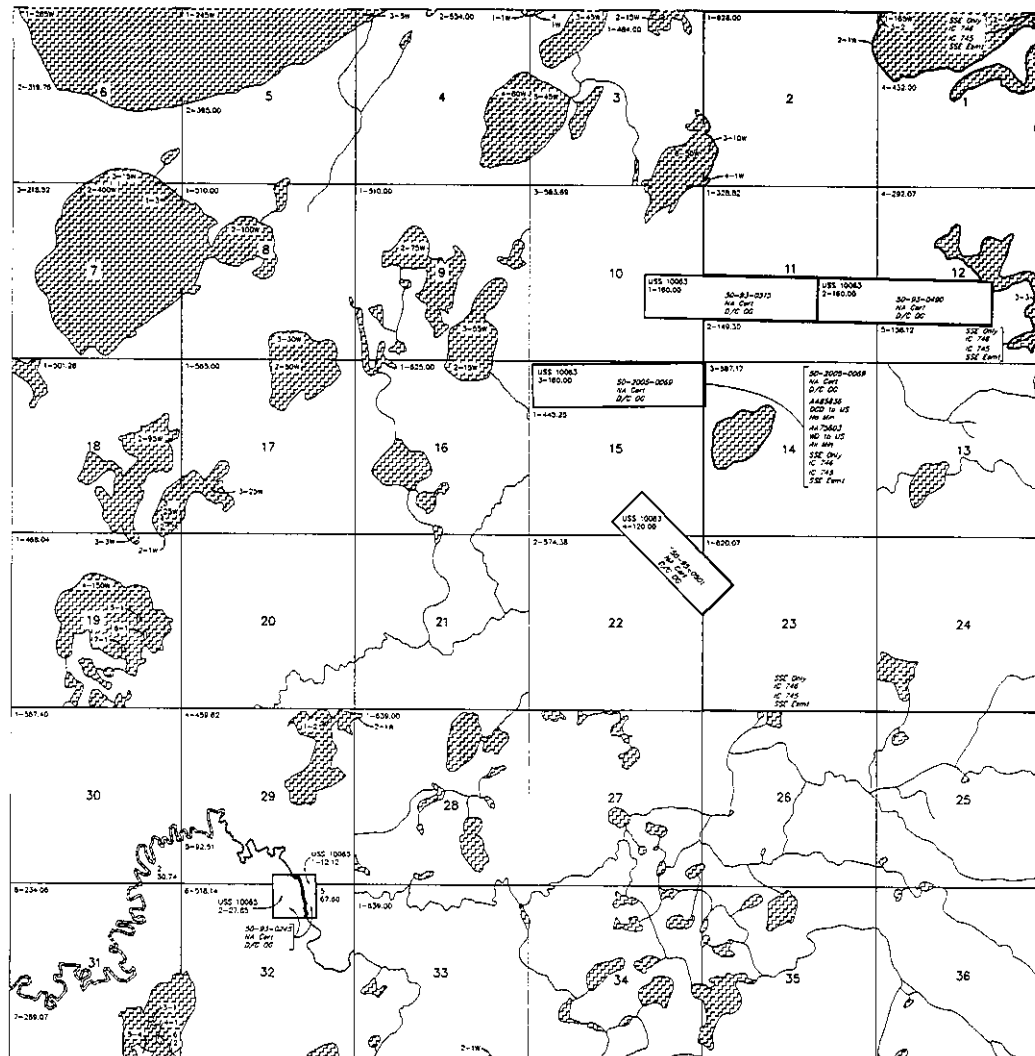
MTP

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

PLD 5179 W/01 A/C of Log & C/ effects Les/Interests
not conveyed

PLD 5184 W/01 C/ effects Les/Interests not conveyed

PL 36-487 W/01 Fusion Data 1988 ending 75



SCALE in chains
0 10 20 30 40

NOTES:
This map is the Bureau's Record of Title, and should be used
only as a guide to the location of the land. It does not
show the actual location of the land, and should not be used
to determine the location of the land. It is subject to change
without notice. Refer to the index for more information.

Lat 61°15'12.59"N
Long 160°07'15.50"W

CURRENT TO		Sew Mer
3-10-2005		Y 14 N
		R 61 W

ACAD

SURVEYED TOWNSHIP 14 NORTH RANGE 61 WEST OF THE SEWARD MERIDIAN, ALASKA

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES
AND ACQUIRED LANDS

MTP

FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-IDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

PLO 5179 Wgt Aid of Leg & O affects Lds/Interests not conveyed

PLO 5184 Wgt O affects Lds/Interests not conveyed

PL 96-487 Wgt Yukon Delta NWR entire Tp

AA75603 Conservation Exmt affects:

Secs: 1&2

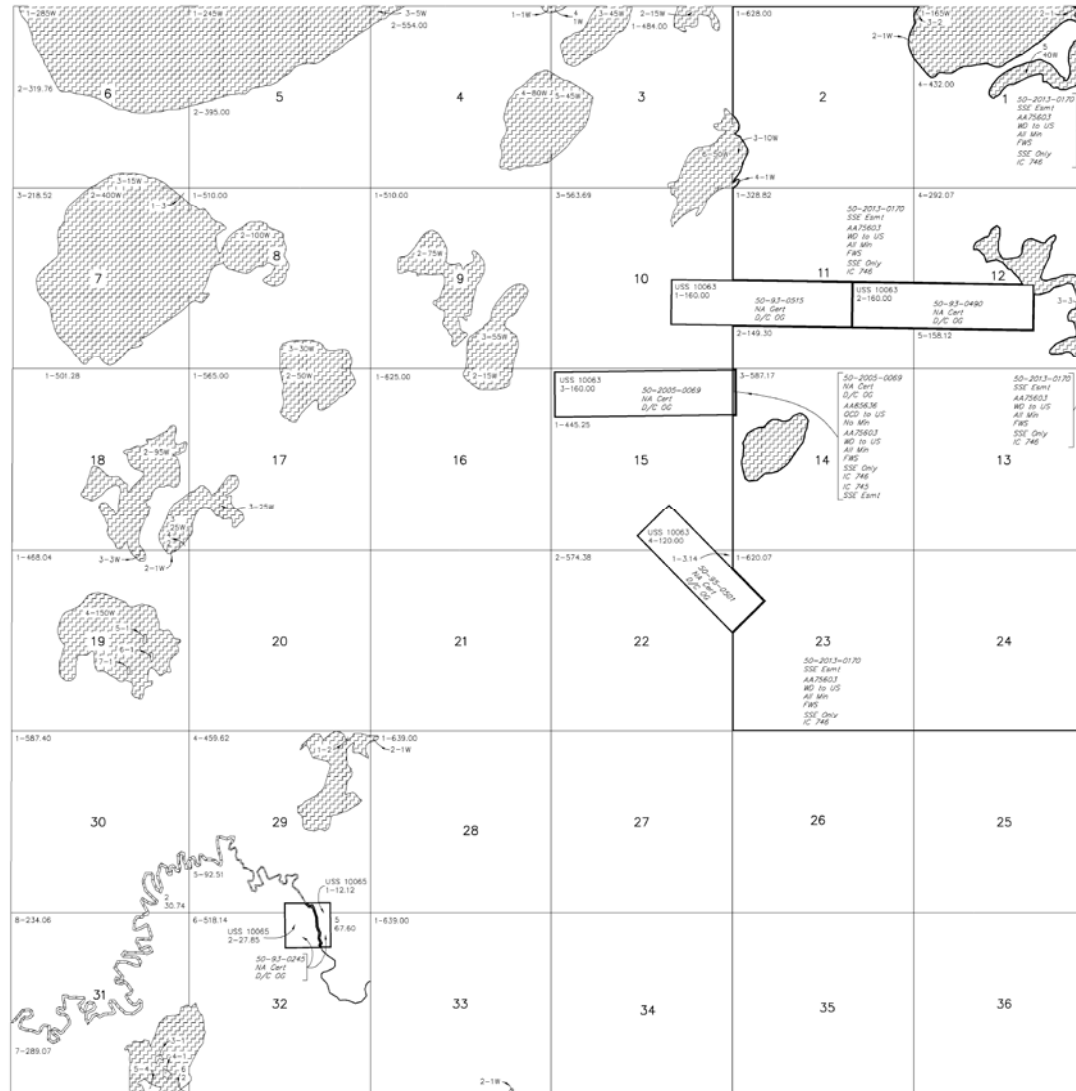
Sec 11: excluding Lot 1&2 of USS 10063

Sec 12: excluding Lot 2 of USS 10063

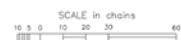
Secs: 1,3&14

Sec 22: excluding Lot 4 of USS 10063

Secs: 24



Lot 61°5'12.59"N
Long 160°0'15.50"W



WARNING:
This plat is the Bureau's Record of Title, and should be used only as a graphic display of the township survey data. Rectangular borders do not reflect line changes which may have been effected by lateral movements of rivers or other bodies of water. Refer to the cadastral map for official survey information.

CURRENT TO		Acq
10-29-2013		Sew Mer
		T 14 N
		R 61 W
		ACAD

SEWARD

MERIDIAN, ALASKA

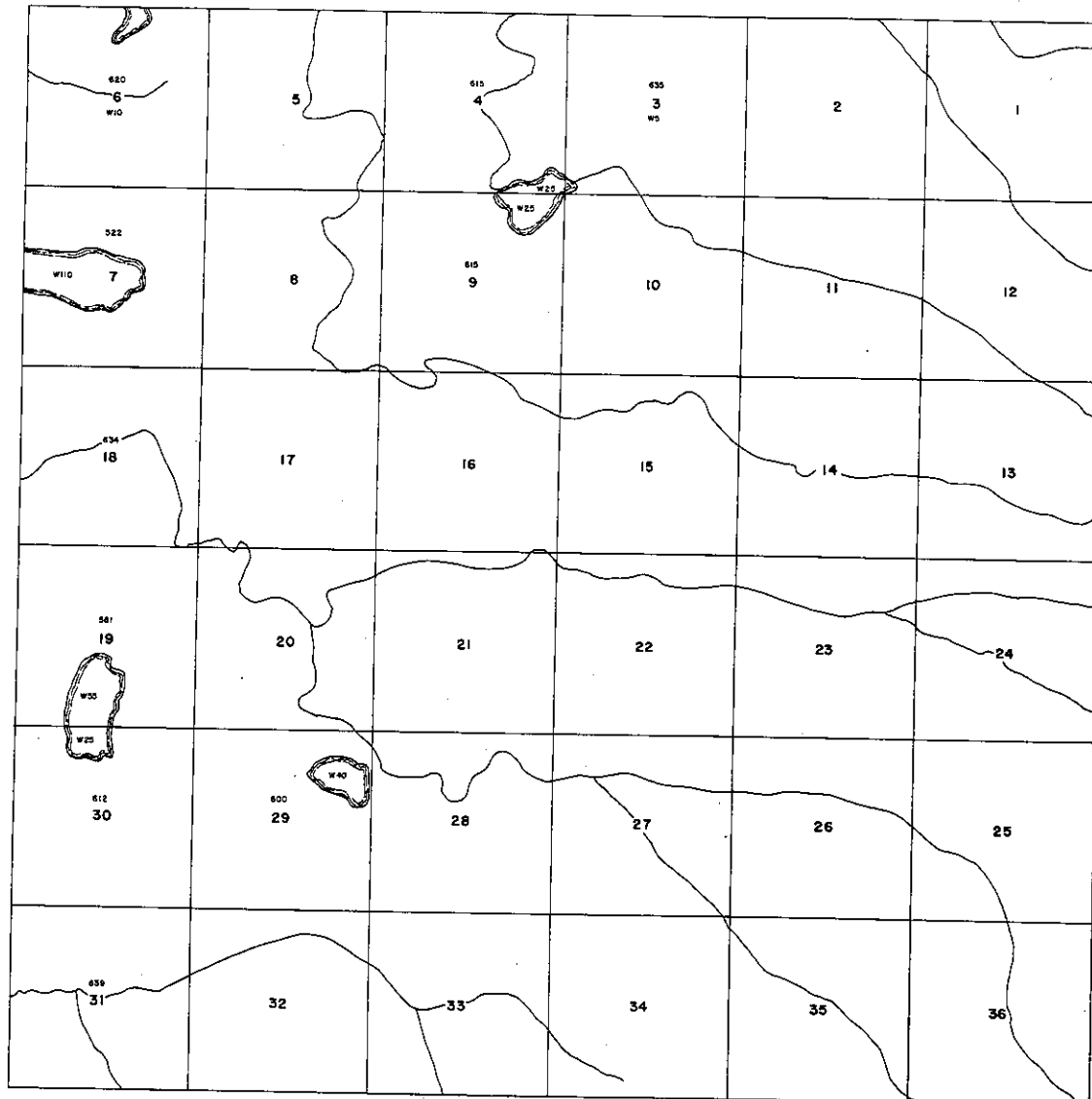
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLESMTP

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.

PLD 5392 9/14/1973 Wdl V/Reg Corp & CI entire Tp

PL95-487 12/2/1980 w/d Yukon Delta NWR entire Tp



Lat 61°10'00.641"N
Long 160°07'15.504"W

SCALE

0 10 20 30

30 chains to the inch

~~WARNING:~~
THIS PLAT IS THE BUREAU'S RECORD OF TITLE AND SHOULD BE USED ONLY AS A GRAPHIC DISPLAY OF TOWNSHIP SURVEY DATA. RECORDS HEREON DO NOT REFLECT TITLE CHANGES WHICH MAY HAVE BEEN EFFECTED BY LATERAL MOVEMENTS OF RIVERS OR OTHER BODIES OF WATER. REFER TO THE CADASTRAL SURVEY FOR OFFICIAL SURVEY INFORMATION.

APR 29 1965

[REDACTED] b7C

CURRENT TO	FB&WS
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T	13N
R	6IW
	\$M

UNSURVEYED TOWNSHIP 13 NORTH RANGE 60 WEST OF THE SEWARD MERIDIAN, ALASKA

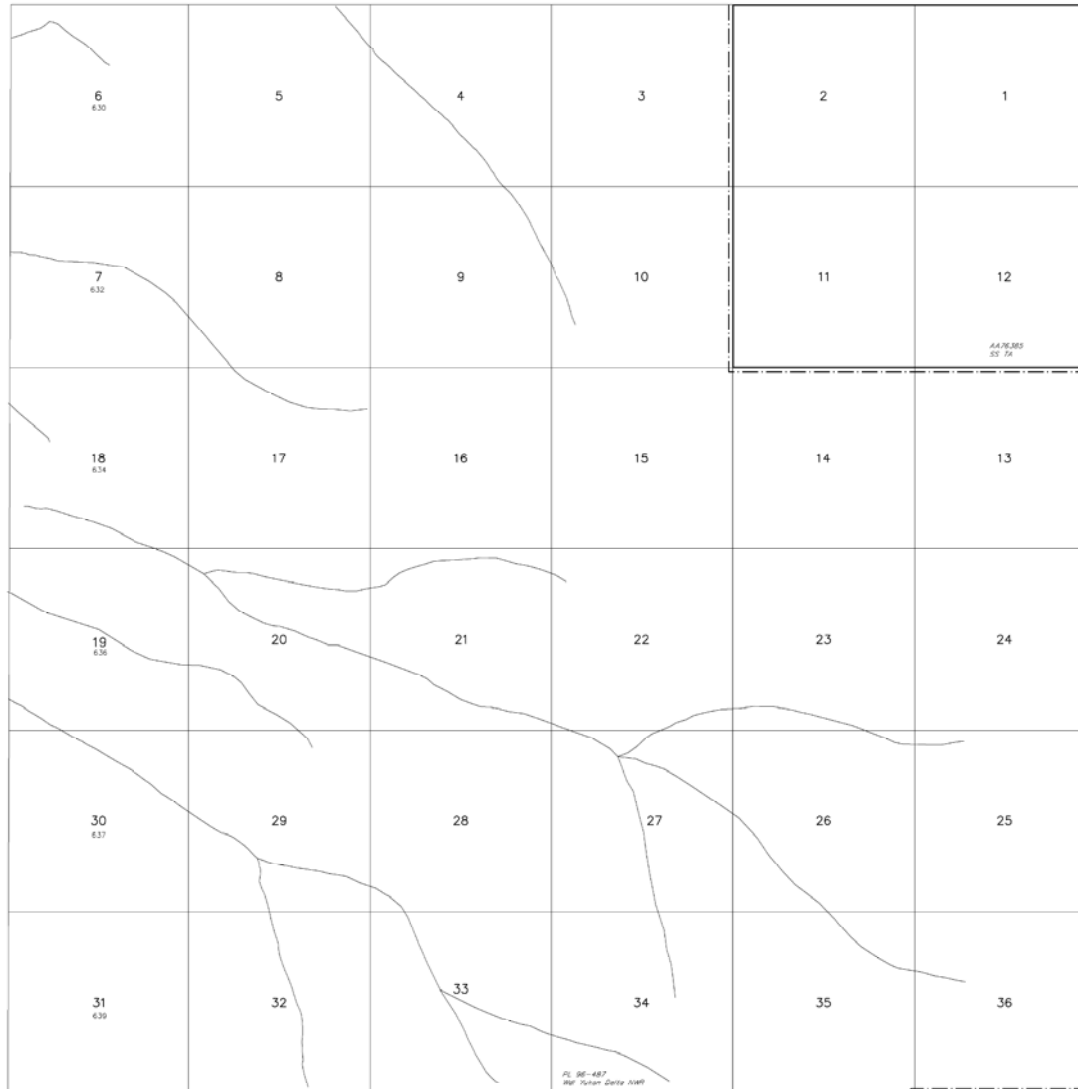
PROTRACTION DIAGRAM NO. S10-3 OFFICIALLY FILED 7/27/1959

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP

FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-
IDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION
MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES
REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

Entire Tp. Within PLO 5392 V/Reg. Corp. and CI



Lat 61°10'00.641"N
Long 159°56'29.679"W

SCALE in chains
10 5 0 10 20 30 40

NOTES:
This plat is the Bureau's Record of Title, and should be used
only as a graphic display of the township survey data. Rec-
ords herein do not reflect title changes which may have been
affected by natural movements of rivers or other bodies of water.
Refer to the cadastral surveys for official survey information.

CURRENT TO	
10-2-2008	

Sew Mer
T 13 N
R 60 W

ACAD

UNSURVEYED TOWNSHIP 13 NORTH RANGE 59 WEST OF THE SEWARD MERIDIAN, ALASKA

PROTRACTION DIAGRAM NO. S10-3 OFFICIALLY FILED 7/27/1959

R 59 W R 58 W

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP

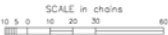
FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-
IDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION
MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES
REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

PLO 5180 Wd. O. & Public Interest affects Lds/Interests
not conveyed

* AA78385 TA Excl Mining Claim Recordations AA24704,
AA24707, AA24745, AA41143-AA41145, AA41150,
AA41161, & AA41166.



Lat 61°10'00.641"N
Long 159°45'43.845"W



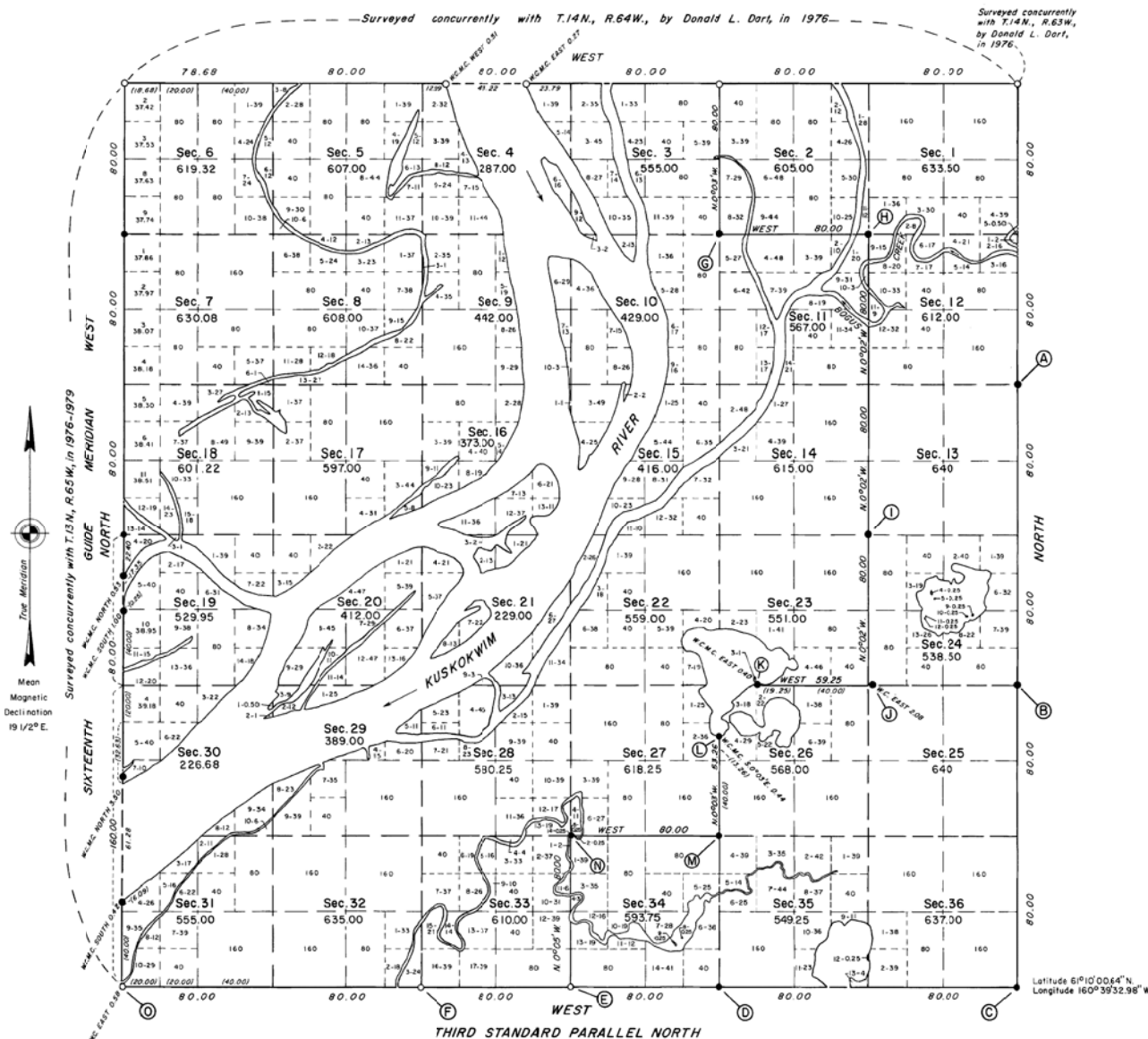
WARNING:
This plat is the Bureau's Record of Title, and should be used
only as a graphic display of the township survey data. Rec-
ords herein do not reflect title changes which may have been
effected by lateral movements of rivers or other bodies of water.
Refer to the cadastral maps for official survey information.

CURRENT TO	
12-22-2011	

Sew Mer
T 13 N
R 59 W

ACAD

TOWNSHIP 13 NORTH, RANGE 64 WEST, OF THE SEWARD MERIDIAN, ALASKA



This plat and the certificate contain the entire survey record.

This plat represents the survey of the Third Standard Parallel North on the south boundary, the east boundary, and a portion of the subdivisional lines of Township 13 North, Range 64 West, Seward Meridian, Alaska.

This survey was executed by George P. Oviatt, Cadastral Surveyor, September 4, 1976, through July 3, 1979, in accordance with the specifications set forth in the Manual of Surveying Instructions, 1973, Special Instructions for Group No. 268, Alaska, dated August 3, 1976, approved August 26, 1976, and Assignment Instructions dated August 30, 1976.

Corner positions of this survey were determined by Auto-Surveyor method utilizing control stations established by the National Geodetic Survey. The geographic positions for these control stations are based on the 1976 adjusted survey data prepared by the National Geodetic Survey. Monuments were set at protracted corner positions based on official Bureau of Land Management protraction diagrams.

This survey encompasses all lands, including islands, islets, and rocks above the line of mean high water which were in existence at the time of survey, whether or not they are shown on this plat.

The hydrography shown on this plat was obtained from color infrared photographs that were made from aerial photography flown in June 1977 by the National Aeronautics Space Administration for the Bureau of Land Management.

The mean magnetic declination shown on this plat was obtained from U.S. Geological Survey quadrangle map "RUSSIAN MISSION (A-5)," Alaska, 1954 edition.

The orange fiberglass cones referred to on this plat are 25 inches diameter at the base, 4 inches diameter at the top, and 24 inches high.

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

The survey represented by this plat, having been correctly executed in accordance with the requirements of law and the regulations of this Bureau, is hereby accepted.

For the Director

James R. Smith Aug. 1, 1984
Deputy State Director for Cadastral Survey,
Alaska

○ COPPERWELD ROD, 9/16 IN. DIAM.,
WITH BRASS CAP.

● ALUMINUM ROD, 5/8 IN. DIAM.,
WITH ALUMINUM CAP.

Area surveyed: 19,258.75 Ac.

TOWNSHIP 13 NORTH, RANGE 64 WEST, OF THE SEWARD MERIDIAN, ALASKA

SPRUCE
5 INS. DIAM.
MKD. X BT

A



DRIVE A 6 FT. LONG ALUM. ROD, 5 FT. IN THE GROUND, IN ROLLING TUNDRA WITH WIDELY SCATTERED PATCHES OF SMALL SPRUCE.

B



DRIVE A 3 FT. LONG ALUM. ROD, 1 FT. IN THE GROUND, IN GENTLY ROLLING, OPEN TUNDRA.

C



DRIVE A 6 FT. LONG ALUM. ROD, 5 FT. IN THE GROUND, IN ROLLING TUNDRA. A SMALL MARSH, BEARS S., 0.60 CH. DIST. PLACE A FIBERGLASS CONE OVER AND WIRED TO THE MONUMENT.

D



DRIVE A 12 FT. LONG ALUM. ROD, 1 FT. IN THE GROUND, IN A DEPRESSION WITH SCATTERED ALDER.

E



DRIVE A 4 FT. LONG COPPERWELD ROD, 3 1/2 FT. IN THE GROUND, IN OPEN TUNDRA.

F



DRIVE A 6 FT. LONG COPPERWELD ROD, 5 FT. IN THE GROUND, IN OPEN ROLLING TUNDRA.

SPRUCE
8 INS. DIAM.
MKD. T13NR64WS2BT

H



DRIVE A 6 FT. LONG ALUM. ROD, 5 FT. IN THE GROUND, IN GENTLY ROLLING TUNDRA.

I



DRIVE A 3 FT. LONG ALUM. ROD, 2 FT. IN THE GROUND, IN OPEN, SLIGHTLY ROLLING TUNDRA WITH SCATTERED SPRUCE AND BIRCH.

J



DRIVE A 6 FT. LONG ALUM. ROD, 5 FT. IN THE GROUND, IN OPEN ROLLING TUNDRA A TUNDRA POND, BEARS E., 0.41 CH. DIST.

K



DRIVE A 4 FT. LONG ALUM. ROD, 3 FT. IN THE GROUND, IN OPEN LEVEL TUNDRA.

L



DRIVE A 6 FT. LONG ALUM. ROD, 5 FT. IN THE GROUND, IN OPEN, LEVEL TUNDRA.

SPRUCE
9 INS. DIAM.
MKD. T13NR64WS12BT

M



DRIVE A 6 FT. LONG ALUM. ROD, 5 FT. IN THE GROUND, IN OPEN LEVEL TUNDRA. A SMALL TUNDRA POND, BEARS E., 0.05 CH. DIST.

N



DRIVE A 12 FT. LONG ALUM. ROD, 15 FT. IN THE GROUND, IN DENSE BRUSH WITH TALL BIRCH AND SPRUCE.

O



DRIVE A 12 FT. LONG COPPERWELD ROD, 11 FT. IN THE GROUND, IN SCATTERED ALDER. A SLOUGH, 60 LKS. WIDE, BEARS W., 0.41 CH. DIST.

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

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

The survey represented by this plat, having been correctly executed in accordance with the requirements of law and the regulations of this Bureau, is hereby accepted.

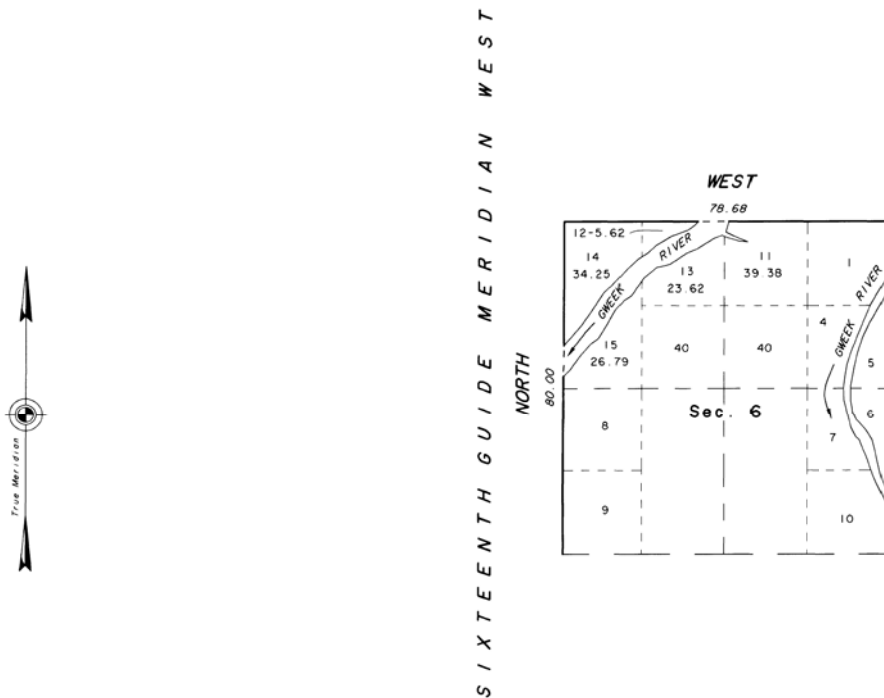
For the Director

Francis R. Rickert Aug 1, 1984
Deputy State Director for Cadastral Survey,
Alaska

DATE APRIL 18, 2007

TOWNSHIP 13 NORTH, RANGE 64 WEST, OF THE SEWARD MERIDIAN, ALASKA
PHOTOGRAMMETRIC RESURVEY

This photogrammetric resurvey plat of Township 13 North, Range 64 West, Seward Meridian, Alaska, shows amended lotting created by the segregation of the Gweek River, not previously identified in Section 6. These revisions are based upon official survey records; the plat of 13 North, Township 64 West, Seward Meridian, accepted August 1, 1984; Special Instructions for Group No. 623, Alaska dated May 1, 1994, and approved May 1, 1994; and Assignment Instructions dated May 11, 2004; and rectified black and white aerial photography flown in 1980 by the National Aeronautics and Space Administration.



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

This photogrammetric resurvey plat is based upon the official records, and having been correctly prepared in accordance with the regulations of this Bureau, is hereby accepted.

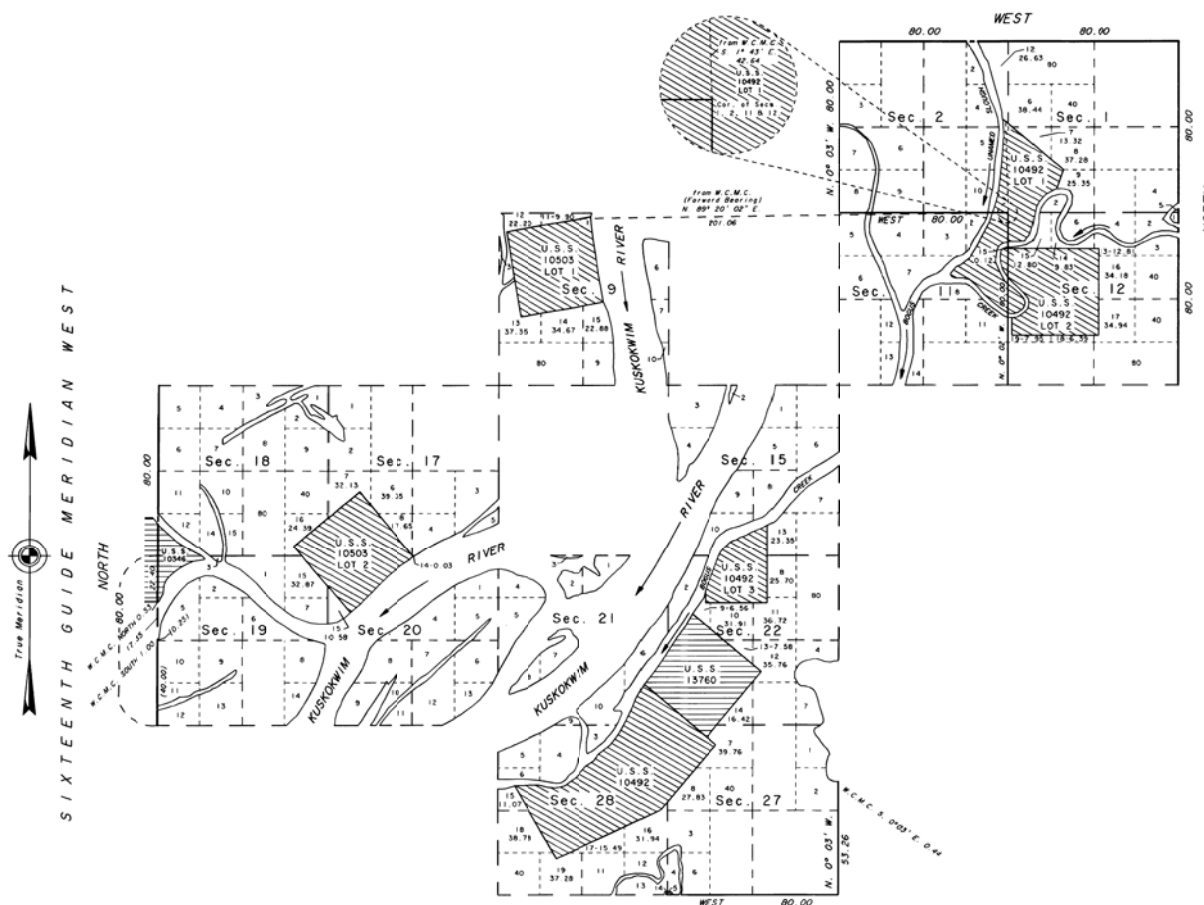
For the Director

John Sample 3/23/2007
Date

Deputy State Director for Cadastral Survey,
Alaska

DATE JAN 11, 2008

TOWNSHIP 13 NORTH, RANGE 64 WEST, OF THE SEWARD MERIDIAN, ALASKA SUPPLEMENTAL PLAT



This supplemental plat of sections 1, 2, 9, 11, 12, 15, 17, 18, 19, 20, 21, 22, 27, and 28, Township 13 North, Range 64 West, Seward Meridian, Alaska, shows amended lotting and segregates U.S. Survey Nos. 10346, 10492, 10503, and 13760, Alaska. Except as indicated hereon, the lotting and areas are as shown on the plat approved August 1, 1984. These revisions are based upon official survey records; the plat of Township 13 North, Range 64 West, Seward Meridian, Alaska, accepted August 1, 1984; the plats of U.S. Survey Nos. 10346, 10492, and 10503, all accepted September 30, 1992; and the plat of U.S. Survey No. 13760, accepted April 13, 2007.

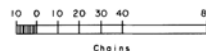
UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Anchorage, Alaska

This supplemental survey plat is based upon the official records, and having been correctly prepared in accordance with the regulations of this Bureau, is hereby accepted.

For the Director

John Smith July 13, 2007
Date

Deputy State Director for Cadastral Survey,
Alaska

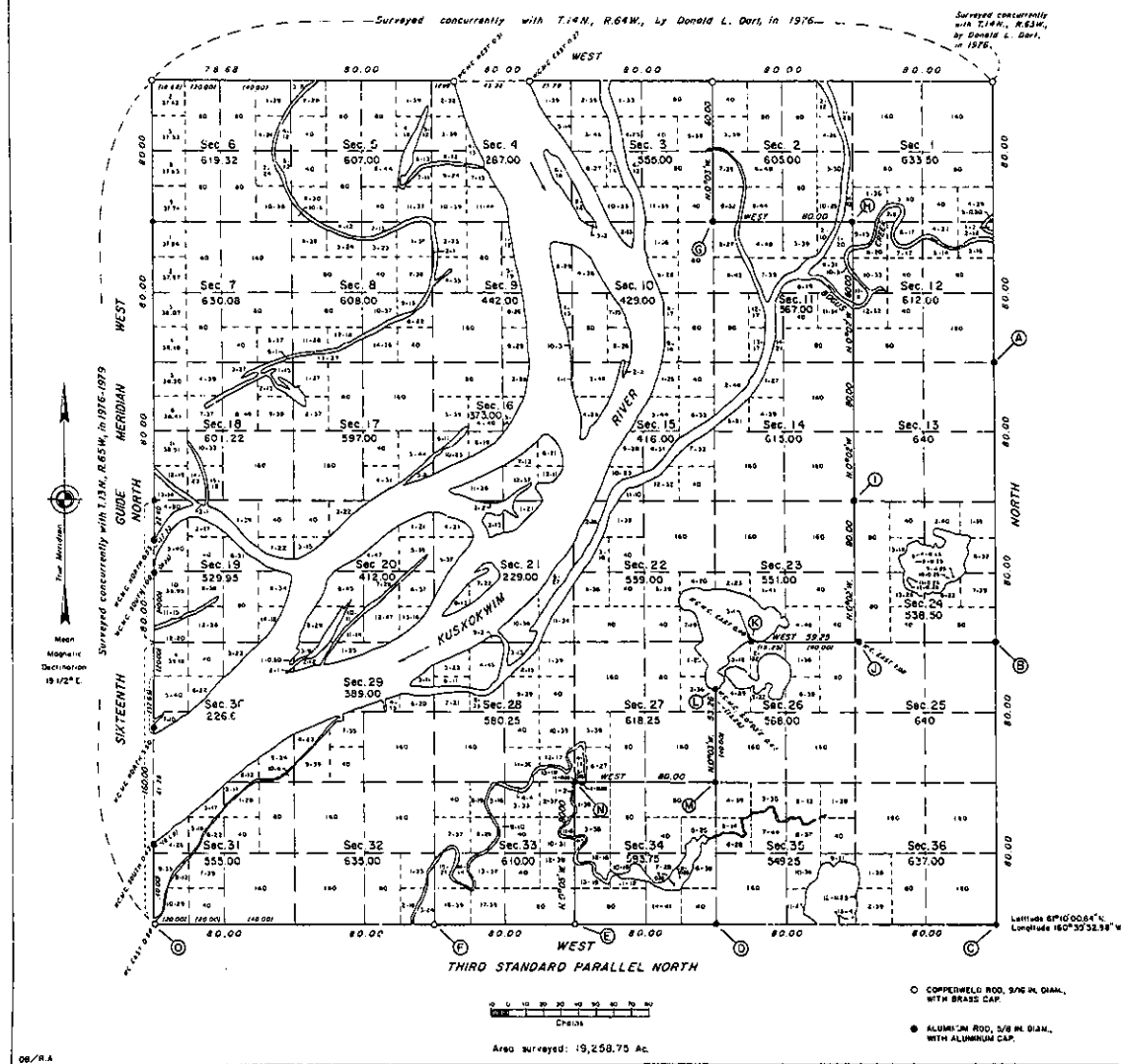


Bogus Creek Interim Report Attachment 15

Officially Filed
DATE August 31, 1984

ORIGINAL

TOWNSHIP 13 NORTH, RANGE 64 WEST, OF THE SEWARD MERIDIAN, ALASKA



This plat and the certificate contain the entire survey record.

This plat represents the survey of the third Standard Parallel North on the south boundary, the east boundary, and a portion of the subdivisional lines of Township 13 North, Range 64 West, Seward Meridian, Alaska.

This survey was executed by George P. Oviatt, Cadastral Surveyor, September 4, 1976, through July 3, 1978, in accordance with the specifications set forth in the Manual of Surveying Instructions, 1973, Special Instructions for Group No. 235, Alaska, dated August 3, 1978, approved August 28, 1978, and Assignment Instructions dated August 30, 1978.

Corner positions of this survey were determined by Auto-Surveyor method utilizing control stations established by the National Geodetic Survey. The geographic positions for these control stations are based on the 1978 adjusted survey data prepared by the National Geodetic Survey. Monuments were set at protected corner positions based on official Bureau of Land Management protection diagrams.

This survey encompasses all lands, including islands, islets, and rocks above the line of mean high water which were in existence at the time of survey, whether or not they are shown on this plat.

The hydrography shown on this plat was obtained from color infrared photographs that were made from aerial photography flown in June 1977 by the National Aeronautical Space Administration for the Bureau of Land Management.

The mean magnetic declination shown on this plat was obtained from U.S. Geological Survey quadrangle map "RUSSIAN MISSION (A-S)," Alaska, 1954 edition.

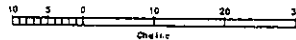
The orange fiberglass cones referred to on this plat are 25 inches diameter at the base, 4 inches diameter at the top, and 24 inches high.

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

The survey represented by this plat, having been correctly executed in accordance with the requirements of law and the regulations of this Bureau, is hereby accepted.

For the Director

James R. Smith Aug 1, 1984
Deputy State Director for Cadastral Survey,
Alaska



COMPRISING LOTS 1 THROUGH 5

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 8(m) of the Alaska Statehood Act, P.L. 85-508, notwithstanding the use, location, or absence of meander lines to deplet water bodies.

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

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

For the Director

George P. Christ 30 SEPT. 1992
Date
Deputy State Director for Coastal Survey, Alaska

COMPRISING LOTS 1 THROUGH 5

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

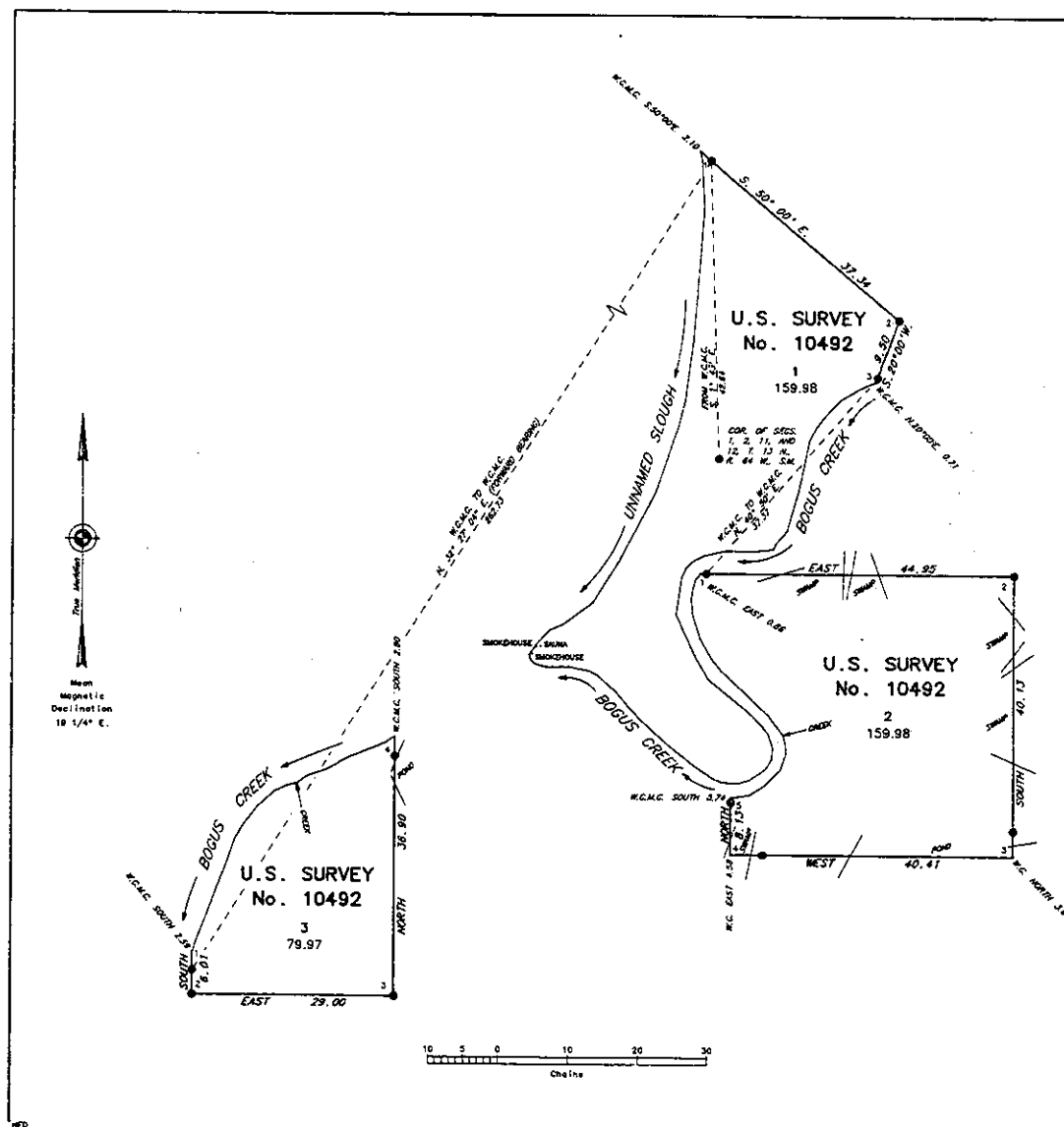
Acceptance of this survey does not purport to transfer any interest in submerged lands to which the State of Alaska is entitled under the Equal Footing Doctrine and Section 8(m) of the Alaska Statehood Act, P.L. 85-508, notwithstanding the use, location, or absence of meander lines to depict water bodies.

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

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

For the Director

George P. Quinn 30 SEPT. 1992
Date
Deputy State Director for Cadastral Survey, Alaska

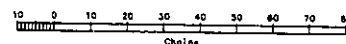
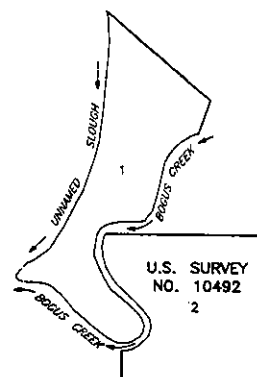
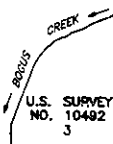


Officially Filed
DATE OCTOBER 20, 1992

ORIGINAL

SHEET 1 OF 3

INDEX SHEET



U.S. SURVEY
No. 10492, ALASKA
COMPRISING LOTS 1 THROUGH 5

SITUATED
ON BOTH BANKS OF
BOGUS CREEK
APPROXIMATELY 13 MILES NORTHEASTERLY
OF
THE VILLAGE OF TULUKSAK, ALASKA
GEOGRAPHIC POSITION
OF
THE WITNESS CORNER TO CORNER NO. 1, LOT 1
A BEACON CORNER

IS:
LATITUDE: $61^{\circ} 14' 48.30''$ NORTH
LONGITUDE: $160^{\circ} 41' 22.59''$ WEST

AREA: 719.85 ACRES

SURVEYED

BY

MICHAEL H. SCHODER
REGISTERED ALASKA LAND SURVEYOR NO. LS-5388
FOR R&M CONSULTANTS, INC.
JULY 18 THROUGH SEPTEMBER 7, 1991
UNDER SPECIAL INSTRUCTIONS
DATED JANUARY 2, 1990
APPROVED OCTOBER 18, 1990
AND CONTRACT NO. NES1-C1-3037
AWARDED JUNE 13, 1991

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

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

This plot 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

Douglas B. Boring 30 SEPT. 1992
Date
Deputy State Director for Cadastral Survey, Alaska

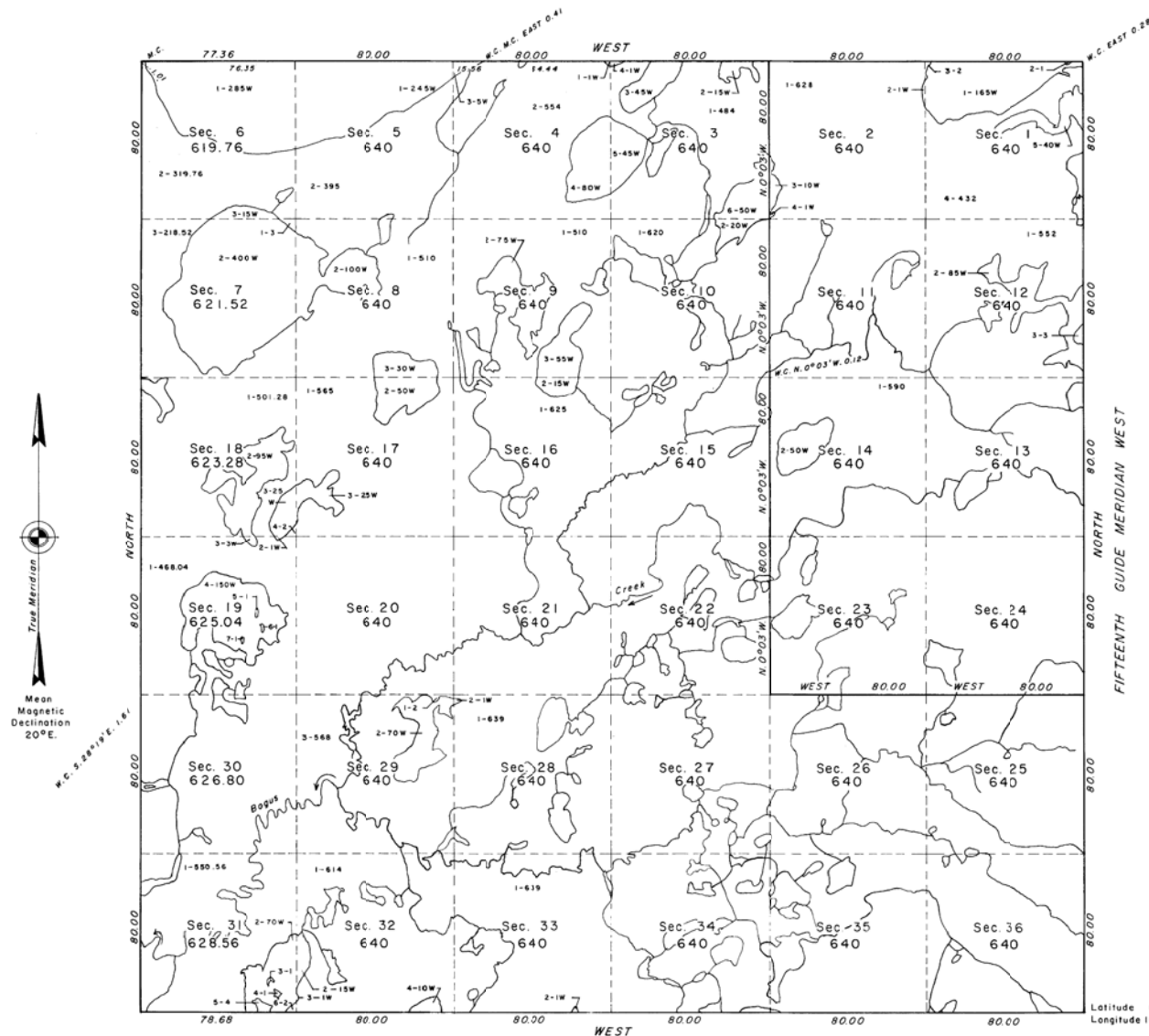
Water lot designations are to facilitate identification and acreage computations only and are not intended to fix boundaries or alter riparian entitlement.

Refer to memorandum File Number 9600 (D-401), dated December 11, 1981, for authority to make this annotation.

Mapping source referred to on this plat is USGS quadrangle maps "RUSSIAN MISSION (B-3)," Alaska, 1952 edition, and "RUSSIAN MISSION (B-4)," Alaska, 1954 edition, with minor revisions in 1972.

ORIGINAL

TOWNSHIP 14 NORTH, RANGE 61 WEST, OF THE SEWARD MERIDIAN, ALASKA



The survey of the Fifteenth Guide Meridian West, along the east boundary, the south, west and north boundaries and a portion of the subdivisional lines of T. 14 N., R. 61 W., Seward Meridian, Alaska, was executed by Donald L. Dart, Cadastral Surveyor, October 1, 1975, through September 15, 1976, under Special Instructions dated September 26, 1975, and December 22, 1975, for Group Nos. 256 and 254, Alaska.

Portions of this township are protracted, based upon the record of the surveyed lines, the official protraction diagram, and the approximate line of mean high water, as shown on U.S. Geological Survey topographic maps.

Nontidal waters considered meanderable under the guidelines of the Manual of Surveying Instructions, 1973, have been segregated and defined on this plat, and are identified by the letter "W" following the given areas. These areas are included in the total "area surveyed" for each section and for the township.

The hydrography shown on this plat was obtained from U.S. Geological Survey quadrangle maps, and measurements to topographic features.

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Denver, Colorado May 28, 1980

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

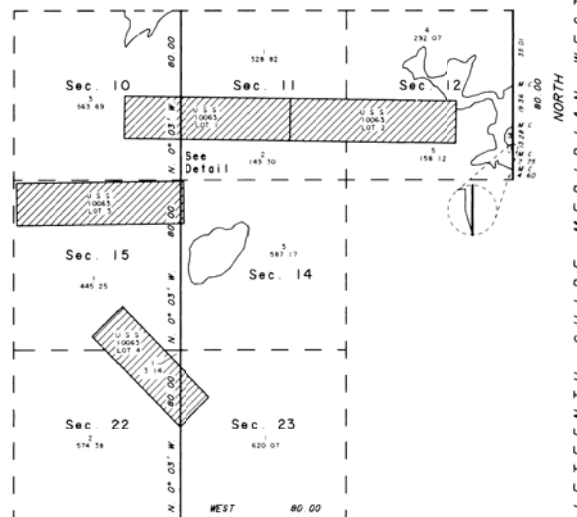
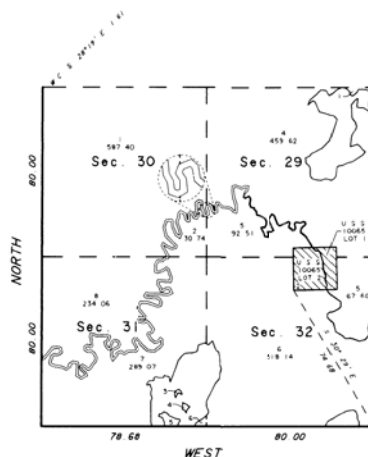
Allen C. Arnold
Acting Chief, Cadastral Survey
Examination and Approval Staff

Latitude 61°15'12.59"N
Longitude 160°07'15.50"W

10 0 10 20 30 40 50 60 70 80
Chains

Area surveyed: 22,944.96 acres

This photographic resurvey plat of sections 10, 11, 12, 14, 15, 22, 23, 29, 30, 31, and 32, Township 14 North, Range 61 West, Seward Meridian, Alaska, shows amended lotting created by the segregation of U.S. Survey No. 10063 and U.S. Survey No. 10065 and the revision and segregation of portions of the hydrography. The areas as indicated hereon, the 10063 and 10065 areas as shown on the plat of Township 14 North, Range 61 West, Seward Meridian, Alaska, accepted May 28, 1980. These revisions are based upon the official survey records; Bureau of Land Management color and white orthophoto made in 1980 and black and infrared photographs made in 1982 by the National Aeronautics and Space Administration; the plat of Township 14 North, Range 61 West, Seward Meridian, Alaska, accepted May 28, 1980; the plat of U.S. Survey No. 10063 accepted June 10, 1992; the plat of U.S. Survey No. 10065 accepted June 10, 1992; Special Instructions to Survey No. 23 dated May 1, 1994, and approved May 1, 1994; and Assignment Instructions dated December 22, 2003.



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 photogrammetric resurvey plat is based upon the official records and, having been correctly prepared in accordance with the regulations of this Bureau, is hereby accepted.

accepted. For the Director
Daniel L. Johnson 8-02-04
 Date

Deputy State Director for Cadastral Survey,
Alaska

