

ATTACHMENTS

for

**Takslesluk-Kayigyalik Lake
System**

FINAL

INTERIM SUMMARY REPORT

Prepared by Bryan Taylor, Historian I
and Nicole Lantz, Historian I

BLM/State Assistance Agreement Program
Phase II-B Submission

August 27, 2013

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

UNITED STATES GOVERNMENT

Memorandum

Takslesluk/Kayigyalik Lakes
Attachment 1

TO : File

DATE: JAN 15 1976

FROM : Realty Specialist
McGrath Resource Area

In reply refer to:
F-14873/2651 (102)

SUBJECT: Kasigluk Easement Meeting

On September 29, 1975, I met with the village of Kasigluk to discuss local easement recommendations. The following people from the village were in attendance.

Yeako Slim
John Nicholas
Nick Kulila
Joe Nicholas
Henry Charles
Tim Hoover
George Keene
Irvin Brink
Leri Hoover
Zacharry Brink, Sr.
Stella Brink
Arresia Hoover
Vivian M. Beaner
Sophie Keene

Letters were mailed to 22 agencies early in 1975, requesting their comments and recommendations for local easements within the Kasigluk village selection.

Easement Recommendations

1. Trail, Kasigluk to Bethel, I was advised that a winter trail easement would not be practical, since the route of travel between these villages is dependent upon the time of year, condition of lake ice, weather and snow conditions. The village was opposed to an easement.
2. Campsite/boat dock/float plane tie-up. The village was opposed to this easement. They felt that there are adequate facilities for boat and float plane docking presently at the village. They also felt that they could provide adequate lodging for travelers. It should be noted that individuals have filed allotment applications which occupy river frontage for approximately three miles from the village.

F 1487:

U.S. GOVERNMENT PRINTING OFFICE: 1962 O - 348-111



3. Trail, public lands to Bethel via Kasigluk. The village was opposed to this trail for reasons stated in easement recommendation number 1, above.
4. Campsite, Nunapitchuk, is not within the selection area.
5. Tramway, is not within the village selection area.

It should be noted that the State of Alaska, Division of Lands has designated many small lakes and streams as navigable within the selection area. They have also requested shoreline easements for trail access along these water bodies. Because of the wet tundra character of these lands trails in the area would prove impassible during warm months and unnecessary during cold months. The village concurs with the states recommendations for navigable streams and lakes since a large portion of their selection is innundated.

Wayne R. Dawson

UNITED STATES GOVERNMENT

Takslesluk/Kayigyalik Lakes
Attachment 2

Jane

Memorandum

TO : Files

DATE: 1/27/76

FROM : Realty Specialist

In reply refer to:
2650.58 (932)
F-14914-EE

SUBJECT: Task Force Meeting on Nunapitchuk.

The Task Force met on January 15, 1976, to consider easements and navigability on the Nunapitchuk (F-14914) selection.

The following recommendations were approved by the Task Force:

ok 1 D1, D9, C3

This recommendation is for a 25-foot wide trail easement from Bethel to Kasigluk that will link the villages of Kasigluk, Nunapitchuk and Bethel, and provide access to public lands. The Bureau of Mines recommendation was for 100-feet.

ok 6 D9

This is a recommendation for an existing 50-foot tramway for portage between Takslesluk Lake and some unnamed lakes to the east of Long Lake (Takslesluk Lake). The portage is in Section 2, T.11N., R.76W., SM. There is a possibility of a native allotment on the same location.

ok 7 C4, C5

This is an one acre site easement on the left bank of Johnson River in Section 4, T.8N., R.74W. This will facilitate use of the river.

ok 8 C4, C5

This is an one acre site easement on the right bank of Pikmiktalik River in Section 19, T.10N., R.73W., S.M. This will facilitate use of the river.

ok 9 C4, C5

This is an one acre site easement recommendation adjacent to the north end of easement #6 in Section 2, T.11N., R.76W., S.M. This would facilitate use of the tramway and give access to public waters.

ok? 10 C4

This recommendation is for a 25-foot streamside easement on the Johnson River. This is a highly significant river for recreation, substance and general travel in the area.

ok 11 C4

This recommendation is for a 25-foot streamside easement on the Pikmiktalik River. This is a highly significant recreational river.



5010-110

F 14914EE

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

OK
12 C4

This recommendation is for a 25-foot streamside easement on the canal system between Nunapitchuk and Kasigluk. This canal is heavily used by both villages for all purposes of travel.

OK
13 C4, C5

This recommendation is for a 25-foot streamside easement along identifiable channels of the Johnson River-lake system leading to the portage into Long Lake (Takselsluk Lake). This recommendation also applies to the deficiency area on the west end of Takselsluk Lake where short portages exist between small lakes west of Long Lake. These portages serve a route between the Johnson River area and Baird Inlet.

The following recommendation was not approved by the ETF:

2 D9

This was a recommendation for a 10-acre site easement at the village of Nunapitchuk. The village was opposed as they have a guest house there. An alternate location downriver would avoid village conflict. Alternate locations were approved by the Task Force along the Johnson and Pilmiktalik Rivers.

The following recommendations were not considered:

3 C3

A trail from Kasigluk to the west, outside the selection area.

4 D9

A site easement at Kasigluk, outside the selection area.

The following water bodies were considered to be navigable by reason of travel, trade and commerce:

1. Johnson River upstream from its mouth to Nunapitchuk and Kasigluk.
2. A canal (slough) system between Nunapitchuk and Kasigluk.

The following were considered and found not to be navigable:

1. Johnson River north of Nunapitchuk and Kasigluk
2. The lake system through which the Johnson River passes north of the two villages mentioned above.

Patrick C. Bailey

F 14914EE

UNITED STATES GOVERNMENT

Memorandum

TO : Files

DATE: 4/19/76

FROM : Natural Resource Specialist

In reply refer to:
2650.58 (932)
F-14873-EE

SUBJECT: Task Force Meeting on Kasigluk.

F 14873 EE

The Task Force met on January 15, 1976, to consider easements and navigability on the Kasigluk (F-14873) selection.

This selection is subject to S.O. 2987.

The following recommendations were approved by the ETF:

- 1 C3, D9, D1 This recommendation is a 25-foot trail from Kasigluk to Bethel. This will link the villages and public waters.
- 3 C3 This was a recommendation for a 100-foot easement. The Task Force modified it to approve a 25-foot trail easement from Kasigluk to the public land west of Kasigluk.
- 6 C4, C5 This recommendation is for an one-acre site and 25-foot trail easement. The site is located adjacent to the existing airport lease south of Kasigluk with the trail to the Johnson River.
- 7 C4, C5 This is a recommendation for a streamside easement on the Johnson River. This will facilitate use of the river which is a heavily traveled route in this area. The easement is 25-feet along each bank and the bed of the stream above Kasigluk where it is not navigable.
- 8 C4, C5 This is a recommendation for a streamside easement on the canal (slough) system between Kasigluk and Nunapitchuk. This easement is for 25-feet along each bank which will facilitate use of the river. The bed is not included as this system is considered to be navigable.
- 9 C4, C5 This recommendation for a streamside linear easement 25-feet (both banks and the bed) north from Kasigluk, along the stream draining Kyigayalik Lake toward the portage east toward Baird Inlet. This portage goes through Takselsluk Lake (Long Lake).



The following recommendation was not approved by the Task Force:

- 2 D9 This was a recommendation for a 10-acre site easement.
The Task Force rejected this and substituted recommendation #6 which was a better location.

The following recommendations were not considered:

- 4 D9 A campsite in Nunapitchuk, outside the selection area.
- 5 D9 A tramway, outside the selection area.

Navigable waters were discussed with the Johnson River and the Slough (Canal) System between Kasigluk and Nunapitchuk being determined navigable due to travel, trade and commerce. No tidal waters in this area.

Horace D. Anderson

F 14873EE



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

State Office
555 Cordova Street
Anchorage, Alaska 99501

2651 (941)
F-14873-EE (Anch)
F-14873-A (Anch.)

NOV 4 1978

NOTICE OF PROPOSED EASEMENT RECOMMENDATIONS
FOR THE VILLAGE OF KASIGLUK

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

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

Seward Meridian, Alaska, (Protracted)

T. 7 N., R. 77 W.
sections 1-8

T. 8 N., R. 77 W.
sections 3-11, 13-36

T. 9 N., R. 77 W.
sections 1-3, 10-15, 22-27, 34-36

T. 9 N., R. 76 W.
sections 1-33

T. 9 N., R. 75 W.
sections 1-36

T. 10 N., R. 77 W.
sections 1-2, 11-15, 22-27, 34-36

T. 10 N., R. 76 W.
sections 1-36

T. 10 N., R. 75 W.
sections 6-9, 13-36

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

ADD-2 355
244 2-11-77

- 1 C3, D9, D1 A 25-foot trail easement from Kasigluk to Bethel. This will link the villages and public waters.
- 3 C3 The original easement request was for a 100-foot easement. The Task Force modified it to approve a 25-foot trail easement from Kasigluk to the public land west of Kasigluk.
- 6 C4 An easement for a one acre site and a 25-foot trail. The site is located adjacent to the existing airport lease south of Kasigluk with the trail to the Johnson River.
- 7 C4, C5 A 25-foot streamside easement along each bank and the bed of the Johnson River. This will facilitate use of the river, which is a heavily travelled route in the area.
- 8 C4 A 25-foot streamside easement along each bank of the canal (slough) system between Kasigluk and Nunapitchuk. This easement will facilitate use of the river.
- 9 C4, C5 A streamside linear easement 25 feet (both banks and the bed) north from Kasigluk, along the stream draining Kyigayalik Lake toward the portage east toward Baird Inlet. This portage goes through Takslesluk Lake (Long Lake).
- 10 C The general right to enter upon the subject lands for cadastral, geodetic, or other survey purposes, together with the right to do all things necessary in connection therewith.
- 11 C An easement for the transportation of energy, fuel, and natural resources which are the property of the United States or which are intended for delivery to the United States or which are produced by the United States.

The following easement, not shown on the attached maps, is not approved:

- 2 D9 This was a recommendation for a 10-acre site easement. The Task Force rejected this and substituted recommendation No. 6 which is a better location.

The following easement, not shown on the attached maps, not considered:

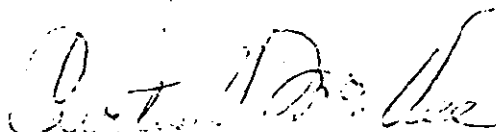
- 4 D9 A campsite in Nunapitchuk, outside the selection area.
- 5 D9 A tramway outside the selection area.

Navigability:

It has been determined that the Johnson River and the Slough (canal) System between Kasigluk and Nunapitchuk are navigable due to travel, trade and commerce. There are no tidal waters in this area.

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

Written comments must be filed with the Joint Federal-State Land Use Planning Commission of Alaska, 733 West Fourth Avenue, Suite 400, Anchorage, Alaska 99501, no later than DEC 22 1976. A copy of any comments should also be sent to the State Director, Bureau of Land Management, 555 Cordova Street, Anchorage, Alaska 99501.



Curtis V. McVee
State Director

Dec 21, 1976

Government of Yukon

1976

RECEIVED
PLANNING DEPARTMENT

Easement

On your letter of the
10th of December 1976 regarding the
Kasigluk Incorporated:

The following easement identifications - 1C3, D9, D1
303, 6C4, 7C4, C5, E1, and 9C6C5

These recommendations for trail easements
and streamside linear easement are rejected
by the Kasigluk Village Corporation, serial number
F-14873-EE(Arch).

The past couple of years ago, you send a
representative to this village to process
easements, and Kasigluk Inc. and the Village People
rejected for the easements, they told that
representative that they don't want easements
as we have rejected the first proposed easements.
We still will reject any easements proposed.
We don't like how you work,

the way you work is by letters not
by talking. the letters are piece of papers
which won't explain any questions that are
asked. it's what is written in the letters also
a piece of paper won't explain every detail
we want to know, a piece of paper won't
talk back to us, or won't answer our questions.

Jim Brink
Chairman

Dick Martin
Vice Chairman

Levi Hoover
Secretary

cc. File

B.T.A Realty, Bethel

Calista Corporation

Nunam Kitlutsisti

BLM, Main office, Anchorage

Kasigluk Inc.

Kasigluk, Alaska

7-609



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

State Office
555 Cordova Street
Anchorage, Alaska 99501

IN REPLY REFER TO

2651 (941)
F-14914-A (Anch.)
F-14914-EE (Anch.)

JAN 25 1977

NOTICE OF PROPOSED EASEMENT RECOMMENDATIONS
FOR THE VILLAGE OF NUNAPITCHUK

Pursuant to the regulations in 2650.4-7, notice is hereby provided of public easements identified on lands selected by Nunapitchuk, Limited (Nunapitchuk).

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

Seward Meridian, Alaska (Protracted)

T. 9 N., R. 74 W.
sections 1-36

T. 8 N., R. 75 W.
sections 1-5, 8-17, 20-36

T. 8 N., R. 74 W.
sections 5-8, 17-20

T. 10 N., R. 74 W.
sections 3-36

T. 10 N., R. 73 W.
sections 19, 29-32

T. 8 N., R. 76 W.
sections 19, 20, 25-36

T. 7 N., R. 75 W.
sections 1-36

T. 7 N., R. 76 W.
sections 1-36

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



Easement Identification

Number (EIN)

- | | |
|--------------|---|
| 1 D1, D9, C3 | This recommendation is for a 25-foot wide trail easement from Bethel to Kasigluk that will link the villages of Kasigluk, Nunapitchuk and Bethel, and provide access to public lands. |
| 7 C4, C5 | This is a one-acre site easement on the left bank of the Johnson River in sections 4 and 5, T. 8 N., R. 74 W. This will facilitate use of the river. |
| 8 C4, C5 | This is a one-acre site easement on the right bank of the Pikmiktalik River in section 19, T. 10 N., R. 73 W., Seward Meridian. This will facilitate the use of the river. A 25-foot wide easement is reserved below the mean high-water mark on the bed of the Pikmiktalik River adjacent to the one-acre site easement. |
| 10 C4, C5 | This recommendation is for a 25-foot streamside easement on both banks and the bed of the Johnson River. This is a highly significant recreational river and provides access to public lands. |
| 11 C4 | This recommendation is for a 25-foot streamside easement on both banks and the bed of the Pikmiktalik River. This is a highly significant recreational river and provides access to public lands. |
| 12 C4 | This recommendation is for a 25-foot streamside easement on both banks of the canal system between Nunapitchuk and Kasigluk. This canal is heavily used by both villages for all purposes of travel. |
| 13 C | The general right to enter upon the lands for cadastral, geodetic or other survey purposes is reserved. |
| 14 C | An easement is reserved for the transportation of energy, fuel and natural resources which are the property of the United States or which are intended for delivery to the United States or which are produced by the United States. |

The following easements were not considered because they are not located on the lands described in this notice.

6 D9

This is a recommendation for an existing 50-foot tramway for portage between Takslesluk Lake and some unnamed lakes to the east of Long Lake (Takslesluk Lake). The portage is in section 2, T. 11 N., R. 76 W., Seward Meridian. There is a possibility of a Native allotment on the same location.

9 C4, C5

This is a one-acre site easement recommendation adjacent to the north end of easement No. 6 in section 2, T. 11 N., R. 76 W., Seward Meridian. This would facilitate use of the tramway and give access to public waters. A 25-foot wide easement is recommended below the mean high-water mark on the bed of Takslesluk Lake adjacent to the one-acre site easement.

13 C4, C5

This recommendation is for a 25-foot streamside easement along identifiable channels of the Johnson River lake system leading to the portage into Long Lake (Takslesluk Lake). This recommendation also applies to the deficiency area on the west end of Takslesluk Lake where short portages exist between the small lakes west of Long Lake. These portages serve as a route between the Johnson River area and Baird Inlet.

The following recommendation was not recommended by the Easement Task Force:

2 D9

This recommendation is for a 10-acre site easement at the village of Nunapitchuk. The village was opposed as they have a guest house there. An alternate location downriver would avoid village conflict. Alternate locations were approved by the Task Force along the Johnson River and Pilmiktalik Rivers.

The following recommendations were not considered:

3 C3

A trail from Kasigluk, outside the selection area.

4 D9

A site easement at Kasigluk, outside the selection area.

~~13 c~~~~Delete~~

~~The right of the United States to enter upon the 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:~~~~Standard survey easement.~~~~14 c~~~~Delete~~

~~Easements for the transportation of energy, fuel, and natural resources which are the property of the United States or which are intended for delivery to the United States or which are produced by the United States. These easements also include the right to build any related facilities necessary for the exercise of the right to transport energy, fuel, and natural resources, including those related facilities necessary during periods of planning, locating, constructing, operating, maintaining, or terminating transportation systems. The specific location of these easements shall be determined only after consultation with the owner of the servient estate. Whenever the use of such easement will require removal or relocation on any structure owned or authorized by the owner of the servient estate, such use shall not be initiated without the consent of the owner of such improvement; provided, however, that the United States may exercise the right of eminent domain if such consent is not given. Only those portions of these easements that are actually in use or that are expressly authorized on March 3, 1996, shall continue to be in force.~~

~~Discussion:~~~~Standard transportation easement.~~

The waters within this selection area are not affected by tidal influence and therefore the marine coastline easement does not apply. Therefore, the periodic coastline easement as required by the Calista easement agreement is not necessary for this selection area. The easements as listed above are complete and no additional easement work is required before the draft DIC is prepared.

Chris J. Lee

APR 7 1978

Takslesluk/Kayigyalik Lakes
Attachment 7

SD

Final Easements for the
Village of Kasigluk

Chief, Division of Technical Services (941)^a

The easement staff met on April 26, 1977, to consider the final easement recommendations for lands selected by Kasigluk Village. Of those recommendations, my decision is to have the following easements included in the conveyance to Kasigluk.

E.I.N.

DESCRIPTION

1 C3, D1, D9

An easement for an existing access trail twenty-five (25) feet in width from Kasigluk easterly to Bethel. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.

Discussion:

Reservation of this existing winter trail is necessary to assure continued public access for intervillage travel. The trail passes through Nunapitchuk and continues southeasterly to Bethel and the public waters of the Kuskokwim River. The twenty-five foot width will allow travel by foot, dogsled, pack animal, snowmachine, and other small vehicles.

3 C3, E

An easement for a proposed access trail twenty-five (25) feet in width from Kasigluk, southwesterly to site easement #3a on the shore of Nunavakpak Lake and continuing westerly to public lands. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.

Discussion:

Reservation of this trail easement is necessary to facilitate access to Nunavakpak Lake and public lands. In traveling between the village and public lands, persons might stop to rest and camp temporarily at site easement #3a on the lake. The twenty-five (25) foot width will allow travel by foot, dogsled, pack animal, snowmachine, and other small vehicles.

3a E

A site easement upland of the ordinary high water mark in Sec. 19, T. 9 N., R. 75 W., Seward Meridian, on the north shore of Nunavakpak Lake. The site is one (1) acre in size with an additional twenty-five foot wide easement on the bed of the lake along the entire waterfront of the site. The site is for camping, staging, and vehicle use.

Discussion: This site will facilitate access between Kasigluk and public lands via trail easement #3. The site will also provide for floatplane tie-up and thus, facilitate access from the lake to public lands or the village of Kasigluk. In addition, space will be provided for temporary camping and storage of supplies.

6 C4 A one (1) acre site easement upland of the ordinary high water mark in Sec. 13, T. 9 N., R. 75 W., Seward Meridian, on the right bank of the Johnson River, adjacent to the Kasigluk airport lease. The site is for camping, staging, and vehicle use.

Discussion: This one acre site easement is necessary to facilitate use of the Johnson River for travel to Kasigluk, Nunapitchuk, and public waters to the north and south. People flying in to the area at the airstrip can move their supplies and equipment to the site over road easement #6a before proceeding along the river. At the site, space will be provided for overnight camping, boat moorage, floatplane tie-up, and temporary storage of equipment.

6a C4 An easement sixty (60) feet in width for an existing road from the Kasigluk airstrip, northeasterly to the Johnson River for access to the river and site easement #6. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.

Discussion: This is an existing road that has been used to haul freight and passengers between the airport and the Johnson River. Originally, the easement recommendation had been for a twenty-five foot trail. However, the 25-foot width was considered inadequate because larger vehicles are used to move freight between the airport and the river for travel on to Kasigluk and Nunapitchuk. The easement is being reserved as a sixty-foot road to protect the existing use and to provide access to site easement #6 on the Johnson River. The road is presently under Right-of-Way application #AA 15039.

7 C4, C5 A streamside easement twenty-five (25) feet in width upland of and parallel to the ordinary high water mark on all banks of the Johnson River and an easement on the entire bed of the non-navigable portion of the Johnson River through the village selection

area. Purpose is to provide for public use of waters having highly significant present recreational use.

Discussion:

The Johnson River has been designated as being navigable to the village of Kasigluk. The river receives heavy barge travel between May and October up to the village of Kasigluk. The Johnson River is also a popular stream for recreationists, primarily sportfishermen. This easement will provide space for foot travel, boat moorage, and other uses associated with travel on the river.

8 C4

A streamside easement twenty-five (25) feet in width upland of and parallel to the ordinary high water mark on all banks of the navigable canal system from Kasigluk easterly to Nunapitchuk. Purpose is to provide for public use of waters having highly significant present recreational use.

Discussion:

This canal system has been given a navigable designation based on existing use. It is used for travel and shipping between the villages of Kasigluk and Nunapitchuk. To protect this existing use as an intervillage access route and as a link in the Johnson River travel system, this streamside easement is being reserved.

9 C4, C5

A streamside easement twenty-five (25) feet in width upland of and parallel to the ordinary high water mark on all banks and an easement on the entire bed of the stream draining Kyigayalik Lake in its entirety through the Kasigluk selection area. Purpose is to provide for public use of waters having highly significant present recreational use.

Discussion:

This stream is used by regional residents for travel and subsistence fishing. The route also provides access to the waters of Kyigayalik Lake and public lands isolated by village selection. This stream also provides access to a portage route north of Kasigluk. Space will be provided for foot travel, boat docking, and other uses associated with travel along the waterway.

10 C

The right of the United States to enter upon the 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: Standard survey easement.

11 C

Easements for the transportation of energy, fuel, and natural resources which are the property of the United States or which are intended for delivery to the United States or which are produced by the United States. These easements also include the right to build any related facilities necessary for the exercise of the right to transport energy, fuel, and natural resources, including those related facilities necessary during periods of planning, locating, constructing, operating, maintaining, or terminating transportation systems. The specific location of these easements shall be determined only after consultation with the owner of the servient estate. Whenever the use of such easement will require removal or relocation of any structure owned or authorized by the owner of the servient estate, such use shall not be initiated without the consent of the owner of such improvement; provided, however, that the United States may exercise the right of eminent domain if such consent is not given. Only those portions of these easements that are actually in use or that are expressly authorized on March 3, 1996, shall continue to be in force.

Discussion: Standard transportation easement.

The waters in this selection area are not considered to be affected by tidal influence and therefore the marine coastline easement does not apply to this area. The identification of periodic coastline easements as per the Calista easement agreement does not apply to those lands. The easements as listed above are complete and no additional easement work is required before the draft DIC is prepared.

/s/ Curtis V. McVee

cc:
DM-A (010)

2-Way Memo

Subject : *ATMAUTLUAK (F-14835-EE)*
** NUNAPITCHUK (F-14914-EE)*
KASIGLUK (F-14873-EE) } *NAVIGABILITY*

From :

RESOURCES (932)
NAVIGABILITY

INSTRUCTIONS

Use - routing symbols whenever possible.

SENDER:

Use brief, informal language.
 Conserve space.
 Forward original and one copy.

RECEIVER:

Reply below the message, keep one copy, return one copy.

DATE OF MESSAGE

1/15/80

Routing Symbol

963

SIGNATURE OF ORIGINATOR

Martin Kauter

TITLE OF ORIGINATOR

FOLD

INITIAL MESSAGE

FOLD

Please review and comment on the navigability portion of the attached selections. A completion date of 1/22/80 is requested for the Village of Nunapitchuk only.

REPLY MESSAGE

The navigability information in easement files F-14835-EE (Atmautluak, Ltd.), F-14873-EE (Kasigluk, Ltd.) and F-14914-EE (Nunapitchuk, Ltd.) has been reviewed. We concur with the determinations that Johnson River through the three selections, the slough system between the villages of Nunapitchuk and Kasigluk, and Pikmiktalik River between the Kuskokwim River and the village of Atmautluak are navigable for the purposes of travel, trade and commerce. In addition, we recommend that Nunavakanukakslak Lake, Kayigyalik (Nunavak Anukslak or Kyigayli Lake and two unnamed lakes, one in T.10N, R.74W, S.M. (Sec. 30 includes part of the lake) and the other in T.10N, R.75W, S.M. (Sec. 27 includes part of the lake), be determined navigable Johnson River merges with and also drains each of these lakes. Our review of all other rivers, creeks, lakes and sloughs within the three village selections did not produce evidence that any of these water bodies were navigable in fact, or susceptible to navigation at the time Alaska became a State.

In the Atmautluak selection area six large unnamed lakes in T.9N, 10N, 11N, R.73W, S.M., Nunavakanukakslak Lake, Johnson River, and Pikmiktalik River in its entirety have been

(continued)

DATE OF REPLY

Routing Symbol

21 January 1980

963

SIGNATURE OF REPLIER

J. H. Allen

TITLE OF REPLIER

Historian

To : Resources (932)



1/21/80
Barrett

-7-

Easement file F-14835-EE (Atmautluak, Ltd.)
Easement file F-14873-EE (Kasigluk, Ltd.)
Easement file F-14914-EE (Nunapitchuk, Ltd.)
Page 2

identified as navigable on the State of Alaska Water Delineation Maps. In the Nunapitchuk selection area Nunavakanukakslak Lake, Kayigyalik Lake, Takslesluk Lake, Nunavakpak Lake, unnamed lakes centered in T.10N, R.74W, Sec. 30, S.M.; T.8N, R.76W, Sec. 32, R.77W, Sec. 36, S.M.; T.7N, R.76W, Sec. 33, S.M., Kutukhun River, Meroyuk River, Pikmiktalik River, and Johnson River (including an arm from the village of Nunapitchuk to Nunavakanukakslak Lake) have been identified as navigable on the State of Alaska Water Delineation Maps. In the Kasigluk selection area Nunavakpak Lake, Takslesluk Lake, Kayigyalik Lake, unnamed lakes centered in T.10N, R.74W, Sec. 30, S.M.; T.10N, R.75W, Sec. 27, S.M.; T.11N, R.76W, Sec. 23, S.M.; T.8N, R.76W, Sec. 32, R.77W, Sec. 36, S.M.; Meroyuk River, and Johnson River have been identified as navigable on the State of Alaska Water Delineation Maps.

Johnson River, the slough system between Nunapitchuk and Kasigluk, and Pikmiktalik River to the village of Atmautluak have historically been used for travel, trade and commerce. At least since the 1940's several Kuskokwim River freight companies have transported supplies on barges, scows and lighters up these three water bodies to the villages. Transport by water has been reported between Kasigluk and Nunachuk, a village located along a fork of the Johnson River about five miles northwest of Kasigluk. In 1959 appeared a report on moving the church from Nunachuk to Kasigluk on a log raft towed by other boats. The upper reaches of the 215-mile long Johnson River, outside of these village selection areas, is part of an access route known as the Yukon-Kuskokwim Portage that connects the Yukon and Kuskokwim Rivers.

All other rivers, including the Kongeruk and Kukthlak Rivers in the Atmautluak selection area, the Pikmiktalik River north of the village of Atmautluak, the Meroyuk River in both the Nunapitchuk and Kasigluk selection areas, and the Kutukhun River in the Nunapitchuk selection area were investigated and determined not navigable. Each of the named rivers is under forty miles long and follows a meandering course through the flat, poorly drained, wet tundra environment. No evidence has been found to document historic use of any of these rivers by boats for commercial purposes. Today, some sport fishing and subsistence use of these rivers is reported. The lower reaches of the Johnson and Pikmiktalkik Rivers, however, are the major fishing spots used by area residents.

Within these three selection areas are numerous small unnamed lakes and ponds and several large lakes including Takslesluk Lake, Nunavakpak Lake, Nunavakanukakslak Lake and Kayigyalik Lake. Nunavakanukakslak Lake, Kayigyalik Lake, and unnamed lakes centered in T.10N, R.74W, Sec. 30, S.M. and T.10N, R.75W, Sec. 27, S.M. are intersected by Johnson River, a navigable stream, and have been used for travel, trade and commerce. Most of the lakes in the region

Easement file F-14835-EE (Atmautluak, Ltd.)
Easement file F-14873-EE (Kasigluk, Ltd.)
Easement file F-14914-EE (Nunapitchuk, Ltd.)
Page 3

are thaw lakes, reflecting the poor water drainage characteristic of the lowland delta area. Two of the large named lakes, Nunavakpak and Takslesluk Lakes, are land-locked. These and other large lakes in the area appear suitable for float plane traffic. Evidence in the case file and historic records in this office indicate that use of lakes and ponds in the three selection areas, with the exception of the lakes intersected by the Johnson River, has been for subsistence and limited recreational use. These lakes are not near land transportation routes or near commercially valuable natural resources, and the shores are not suitable for residency or commercial development. The villages in the area are concentrated within a small area characterized as moist tundra as opposed to the wet tundra area that surrounds them. The villages are reached by float plane, by boat from the Kuskokwim River via the Johnson and lower Pikmiktalkik Rivers, and by an overland winter trail from Bethel. Subsistence is the major economic activity.

Takslesluk/Kayigyalik Lakes
Attachment 9

~~S. F. Bennett~~ 1/28/80
C. M. Brown 1/28/80
S. F. Bennett 1/28/80
J. F. Bennett 1/28/80
act.

Supplement to Resources (932) response dated 21 January 1980 to memo from ANCSA Easement Identification (963) dated 15 January 1980, Re: Easement files F-14835-EE (Atmaultluk), F-14914-EE (Numapitchuk) and F-14873-EE (Kasigluk).

On 23 January 1980 the memo was discussed with ANCSA Easement Identification representatives and the following changes were agreed upon.

In addition to the waterbodies recommended as navigable in the memo, we recommend that all sloughs, lakes and streams that interconnect the navigable waterbodies within the selection areas be determined navigable.

Also, we recommend that the unnamed lake located in T. 10 N, R. 74 W, Secs. 31, 32, 33, S.M.; T. 11 N, R. 74 W, Secs. 5, 6, S.M.; and T. 10 N, R. 75 W, Secs. 1, 12, 13, S.M. be determined navigable as it is an integral part of an interconnecting slough system between navigable waterbodies.

28 January 1980

Joan Anderson Mohr

Historian

Resources (932)

2-Way Memo

NAVIGABILITY - MUNAPITCHUK

INSTRUCTIONS

Use routing symbols whenever possible.

SENDER:

Use brief, informal language.
Conserve space.
Forward original and one copy.

RECEIVER:

Reply below the message, keep one copy, return one copy.

To : RESOURCES (932)
SHERM BERG

DATE OF MESSAGE
3/28/80

Routing Symbol
963

SIGNATURE OF ORIGINATOR

Martin L. Karottter

TITLE OF ORIGINATOR

Realty Specialist

OLD

INITIAL MESSAGE

Please review the attached selection for navigability. The concerned water bodies are shown in orange. See attached for specifics gathered on water bodies during Munapitchuk village meeting of 3/27.

REPLY MESSAGE

- 1) See attached ^{typed} memorandum, which contains data and recommendations involving the villages of Atmantluak and Kooighek, in addition to the village of Munapitchuk. (Copies should be made for these village selection files)
- 2) Please obtain copy of map, as annotated, for Dir of Resources. Thank.

From :

Resources (932)

• M. Brown
4/7/80

Berg
4/7
Thrust
4/9

DATE OF REPLY

4/3/80

Routing Symbol

SIGNATURE OF REPLIER

Sherm Berg

TITLE OF REPLIER

Realty Specialist

5027-104

1. TO BE RETAINED BY ADDRESSEE

OPTIONAL FORM 27
JULY 1973
GSA FPMR (41 CFR) 101-11.6

Nunavut Meeting 3/27
Navigability

- 1) Ekmiktalik River - Both Nunavut and Almatluak people believe the river is navigable throughout both sections. The river is used as the major transportation route to public lands north of the section for fishing, hunting, trapping, berry picking and other subsistence uses.

The river above Almatluak is also connected with the Johnson River by several slough and lake systems. It could be reasoned that the Ekmiktalik is an interconnecting slough system of the Johnson River and thereby be navigable. The lake systems shown in orange, between Nunavut and Almatluak is interconnecting. Arthur Jenkins, store owner in Almatluak also uses this lake and slough system to transport goods between Almatluak and Nunavut. It was estimated that 20 people per day use this route.

- 2) Unnamed slough between Kugayalik and Nunavut Lake - Village use route as transportation system between lakes. Camps are located along slough and Nunavut Lake (as indicated on map). Natural allotments are also located along the shore of the lake. The slough is approx 20' - 40' wide, and 20' - 30' deep.

10 or more trips per week.

Used for subsistence purposes, as a travel route to camps and natural allotments. Slough used by Inughit people more than Nunapitchuk.

3) Nunavutpak lake - same as above for uses.

Lake averages 15'-20' deep. Lake in one area is reported to be bottomless.

The fish in the lake are reported to be different than anywhere else.

4) Unnamed slough and lakes along south shore of Nunavutpak lake - Westerly Lake and slough systems used for subsistence purposes. No other uses documented.

Easterly slough system used as travel route to fall camp and for subsistence purposes. Supplies are shipped along slough during summer months stored at airport and then utilized during winter months while trapping.

Skiffs from 20'-30' with up to 115 horse power outboard motors are used on all water bodies within the selection areas.

Villagers feel that subsistence use is evidence of acceptability of navigability.

4/8/80

Memorandum

To: Files: Nunapitchuk-F14914-EE, Kasigluk-F14873-EE, and
Atmautluak-F14833-EE

From: Realty Specialist

Subject: Re-review, Navigability Recommendations

Mr. Karstetter, Branch of Easement Identification, met with representatives of the Villages of Nunapitchuk and Atmautluak on 3/27/80 at Nunapitchuk. He obtained data from them relating to use of waterbodies in the Nunapitchuk - Atmautluak area. The data was provided in hand-written format to this office along with a request to re-evaluate previous BLM recommendations on navigability for Nunapitchuk, along with an annotated map. But the review indicated that changes would also be necessary for the Kasigluk and Atmautluak selections.

The waterbodies discussed in Mr. Karstetter's notes are addressed in that order below:

1) Pikmiktalik River - The previous recommendation was that this river be considered navigable to the Village of Atmautluak, since this was the point to which barge traffic had gone. Mr. Johnson, a store owner at Atmautluak, uses the river to transport goods between Atmautluak and Nunapitchuk. Such traffic on a waterbody in this low-lying, heavily watered area is believed to show that commercial traffic between the two villages is being conducted by Mr. Johnson and I assume that other villagers use the route for travel between the two villages.

Use of other portions of the Pikmiktalik River was cited by Native representatives present at the meeting. These uses were subsistence uses of the river northerly of Atmautluak. No data were supplied to BLM specifying the types of boats used, the periods of use or if specific sites were used seasonally over a period of time. *The area lies in the Atmautluak selection area, 37D*

I could find no major connections between the Johnson River and the Pikmiktalik River on the USGS 1:63,360 or 1:250,000 quadrangles, except as discussed in paragraph (1) of this section, where I meant to write that *River and Johnson River both flow into and out of Nunavakpak Lake & 8*

2) Unnamed slough southerly of Kyigayalik Lake and Nunavakpak Lake. The uses described by the Native informants and the presence of a camp on the unnamed slough (which I assume has been used seasonally over a period of time) indicates there is seasonal traffic on the waterbody which is similar to traffic between villages.

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F14833EE

3) Nunavakpak Lake - The lake, as shown on the maps in the casefile, is an integral part of a travel route from the village of Nunapitchuk to seasonally used subsistence areas and one camp. The traffic is considered similar to that which might be done between villages.

In addition, the presence of a spring and grave site (s?) is shown on the northerly shore of the lake at the inlet from the unnamed slough discussed in (2) above.

4) Unnamed slough and lakes along the southerly shore of Nunavakpak Lake - The lakes are used seasonally for subsistence purposes. No identification of seasonal camp sites on these lakes were identified by the Native informants on the map which was annotated at the meeting.

A seasonal camp site is shown on the unnamed slough on the southerly shore of the Nunavakpak Lake, as is one on an unnamed slough on the westerly shore of the lake. This slough has not been annotated on the map as one the Natives consider navigable, nor is it discussed in Mr. Karstetter's written notes.

5) Other - Two other areas on the map, in the core township for Nunapitchuk, were also considered navigable by Native peoples at the meeting and are so colored on the map.

The northerly area is actually a portion of Nunavakanukakslak Lake, which was recommended to be considered navigable in the last report on this selection prepared by this office.

The southerly area is a slough system which interconnects with the Johnson River, which was also recommended to be considered navigable in the report.

Analysis

Based on the data furnished to the BLM at the meeting at Nunapitchuk, I believe certain recommendations made in the previous report by this office should be modified to recommend that additional water areas be considered navigable. They are more fully described in the summary section below.

The rationale for the recommendations is that traffic of a commercial area has occurred on a regular basis over one (a stretch of the Pikmuktalik River) and in addition use of the waterway by villagers travelling to semi-permanent seasonal camps has occurred on a regular basis. Considering these camp sites as "villages" used on a seasonal basis, I consider the traffic on the waterways the same as traffic between villages.

My recommendations on waterways in these selection areas are included in the summary below.

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Summary Recommendations

After receiving and analyzing the data provided to this office by Mr. Karstetter, I recommend that the recommendations previously made by this office be modified as follows:

1) The Pikmiktalik River be considered also navigable from Atmautluak, in Section 20, T9N, R73W, SM westerly through Section 7 of this township. Only that portion of the river in the southerly half of Section 7 is included in this recommendation and not that portion in the northerly half.

2) The unnamed slough which begins in Section 22 T10N, R75W, SM, just above the abandoned village of Nunachuk, and which traverses Sections 21, 16, 17, 18, 19, 20, 29 and 30 of this township; Sections 24, 25, 26, and 35, T10N, R76W, SM; Section 1, 2, 10, 11, 12, 13, 14, 15, 16, 21, and 22, T9N, R76W, SM and Section 28, T9N, R76W, SM, where it enters Nunavakpak Lake, be considered navigable.

3) Nunavakpak Lake be considered navigable, since its bed is part of the water system involved in travel from Atmautluak and Nunapichuk to seasonal camps.

4) The unnamed slough in Section 26 and 35, T8N, R76W, SM and Sections 1 and 2, T7N, R76W, SM be considered navigable, *as well as the unnamed slough and lake system westerly of this slough. S 723*

5) The area in T9N, R74W, SM, which is actually a portion of Nunavakanukaslak Lake, be treated as such (it is very difficult to do on the blue line copies of USGS 1:63,300 quadrangles), and following earlier recommendations of this office, be treated as navigable.

6) The unnamed slough system interconnecting with the Johnson River and shown on the maps in Sections 22, 27, and 28, T9N, R74W, SM be treated as other similar interconnected sloughs of waterbodies considered navigable and treated as navigable.

~~7) The other waterbodies shown on the map and considered as navigable by the persons present at the meeting at Nunapichuk be considered non-navigable because the use made on them is not of a type that is commercial or regular in the way use on the other waterbodies in the area is made. That is, travel is done on them, but not from village to seasonal camps used regularly by inhabitants of the villages in the area.~~ *S 723 4/8/80*

Other

This area is one of little land, much water and scanty data on use.

The physical relationship of land and water areas is difficult to follow on printed, unannotated USGS 1:63,300 quadrangles, and even harder on the blue-line copies in the casefile.

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I believe that the changes recommended above are indicative of this, and are necessary in light of the data furnished to BLM.

/s/ Sherman Berg

cc: Jo Antonson-Mohr (932)

932:SBerg:cb:4/3/80:x5069



United States Department of the Interior

Takslesluk/Kayigyalik Lakes
Attachment 112650.47
F-14914-EE (75.4)
(018) (963)

MAY 22 1980

Memorandum

To: Chief, Division of ANCSA Operations (960)

From: SD

Subject: Final Easements for the Village of Nunapitchuk

The easement staff met on April 19, 1979, to conform the final easement recommendations and consider major waterway and navigability recommendations for lands selected by the village of Nunapitchuk. Of those recommendations, my decisions are as follows:

MAJOR WATERWAYS:

Major waterways were discussed. The Johnson River was considered to be major throughout the selection including Nunavakanukakslak Lake and the slough system between Nunapitchuk and Kasigluk. The Johnson River and Nunavakanukakslak Lake provide the primary intervillage surface transport route between villages to public lands and waterways and is a main route to the Yukon River. The slough serves as an access route to the left branch of the Johnson River which flows from Kyigayalik Lake. This lake serves as a major access route to Baird Inlet.

The Pikmiktalik River is major throughout the Atmautluak selection and is considered to be major where it extends into a small portion of the core township of Nunapitchuk. The river provides access to public lands beyond the Nunapitchuk and Atmautluak selections.

NAVIGABILITY:

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

The Johnson River and its interconnecting sloughs throughout the selection.

Nunavakanukakslak Lake

Nunavakpak Lake

The Pikmiktalik River where it flows from the interconnecting unnamed lake system between Nunavakanukakslak Lake and the Johnson River in Sec. 12, T. 9 N., R. 74 W., Seward Meridian downstream to Atmautluak.

The unnamed lake in Secs. 4, 5, 6, 7, 8 and 18, T. 10 N., R. 74 W., Seward Meridian.

The unnamed slough from where it flows from the aforementioned unnamed lake in Sec. 7 to its confluence with the Johnson River in Sec. 17, T. 10 N., R. 74 W., Seward Meridian.

The unnamed lake in Secs. 19, 20, 29, 30, 31 and 32, T. 10 N., R. 74 W., Seward Meridian.

The unnamed slough from where it flows from the aforementioned unnamed lake in Sec. 31, T. 10 N., R. 74 W., Seward Meridian to its confluence with the Johnson River in Secs. 16 and 17, T. 9 N., R. 74 W., Seward Meridian. Subject slough traverses Sec. 31, T. 10 N., R. 74 W. and Secs. 5, 6, 8, 9, 16 and 17, T. 9 N., R. 74 W., Seward Meridian.

The unnamed slough from where it flows from Nunavakanukakslak Lake in Sec. 28, T. 10 N., R. 74 W., Seward Meridian to its confluence with the aforementioned unnamed slough near the village of Nunapitchuk in Sec. 5, T. 9 N., R. 74 W., Seward Meridian. Subject slough traverses Secs. 28, 32 and 33, T. 10 N., R. 74 W. and Sec. 5, T. 9 N., R. 74 W., Seward Meridian.

The unnamed slough (canal) and lake system from the unnamed slough near the village of Nunapitchuk to its confluence with the Johnson River at the village of Kasiglak. Subject slough traverses Sec. 6, T. 9 N., R. 74 W., and Secs. 1 and 12, T. 9 N., R. 75 W., Seward Meridian.

The unnamed lake system between Nunavakanukakslak Lake and the Johnson River in Sec. 31, T. 10 N., R. 73 W.; Secs. 34, 35 and 36, T. 10 N., R. 74 W.; and Secs. 1, 2, 3, 10, 11, 12, 13, 14, 15, 23, 24, 25, 26 and 36, T. 9 N., R. 74 W., Seward Meridian.

The unnamed slough beginning in Sec. 1, T. 7 N., R. 76 W., Seward Meridian to where it flows into Nunavakpak Lake in Sec. 26, T. 8 N., R. 76 W., Seward Meridian. Subject slough traverses Secs. 1 and 2, T. 7 N., R. 76 W., and Secs. 26 and 35, T. 8 N., R. 76 W., Seward Meridian.

All other named and unnamed water bodies within the lands to be conveyed were reviewed. Based on existing evidence, they were considered 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 identified. 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)).

One Acre Site - The uses allowed for 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 1 C3, D1, D9) An easement for an existing access trail, twenty-five (25) feet in width, from Bethel in Sec. 9, T. 8 N., R. 71 W., Seward Meridian, westerly to Kasigluk, linking the villages of Kasigluk, Nunapitchuk, and Atmautluak with Bethel. 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 easement is necessary to provide an access route between villages and for access to public lands and waters. The trail has been used many years for winter travel between villages and is necessary for this continued use as well as for access to public lands.

- b. (EIN 8 C4, C5) A site easement, upland of the ordinary high water mark, in Sec. 19, T. 10 N., R. 73 W., Seward Meridian, on the right bank of the Pikmiktalik River. The site is one (1) acre in size with an additional twenty-five (25) foot wide easement on the bed of the river along the entire waterfront of the site. The uses allowed are those listed above for a one (1) acre site.

Discussion:

This easement is necessary to facilitate the public use of the public waters in the Pikmiktalik River. This river is used for travel between Native villages and to public lands. It is a necessary camping and resting area while traveling along the river.

- c. (EIN 16 C5) An easement for an existing Alaska Village Electric Cooperative, Inc. (AVEC), power-plant site in Sec. 5, T. 9 N., R. 74 W., Seward Meridian, being more particularly described as follows:

Beginning at witness corner meander corner 6 of U.S. Survey No. 4049;

thence N. $64^{\circ}46'00''$ W. along the south line of U.S. Survey No. 4049, a distance of 30.00 feet, to AVEC corner No.1 the true point of beginning;

thence S. $64^{\circ}46'00''$ E. along the south line of U.S. Survey No. 4049, a distance of 230.00 feet to AVEC corner No. 2;

thence N. $42^{\circ}19'30''$ W. for a distance of 248.85 feet to AVEC corner No. 4;

thence N. $25^{\circ}14'00''$ E. for a distance of 35.00 feet to AVEC corner No. 1 the true point of beginning.

The parcel of land to which the above description applies contains 0.44 acres, more or less.

The allowed uses of the easement are the construction, operation and maintenance of an electric power generation facility.

Discussion:

The AVEC was granted a right-of-way, Serial Number F-12031, for the plant site, on July 23, 1969. The powerplant was constructed in 1969, without the benefit of an on-site survey. This lack of survey resulted in a substantial portion of the plant being constructed off the granted right-of-way. Right-of-way F-12031 will therefore be relinquished upon conveyance of the selected lands to the village of Nunapitchuk and the subsequent reservation of this easement.

- d. (EIN 17 C5) An easement twenty (20) feet in width for the existing powerline from the power plant at the village of Nunapitchuk in Sec. 5, T. 9 N., R. 74 W., Seward Meridian, westerly to the village of Kasigluk. The uses are those associated with the construction, operation and maintenance of the powerline.

Discussion:

Reservation of this easement for the existing powerline is necessary to assure continued electric power service to the village of Kasigluk.

The following easements were considered but not recommended:

- a. (EIN 7 C4, C5) A one (1) acre site easement upland of the ordinary high water mark in Secs. 4 and 5, T. 8 N., R. 74 W., Seward Meridian, on the left bank of the Johnson River.

Discussion:

The easement is located within a Native allotment.

- b. (EIN 10 C4, C5) A streamside easement, twenty-five (25) feet in width, upland of and parallel to the ordinary high water mark on all banks of the navigable portion of the Johnson River, through the village selected lands, and a streamside easement, twenty-five (25) feet in width, upland of and parallel to the ordinary high-water mark on all banks, and an easement on the entire bed of the nonnavigable portion of the Johnson River through the Nunapitchuk selection.

Discussion:

The easement is recreational in nature. It does not meet the requirements of the new easement regulations published November 27, 1978.

- c. (EIN 11 C4) A streamside easement, twenty-five (25) feet in width, upland of and parallel to the ordinary high water mark on all banks, and an easement on the entire bed of the Pikmiktalik River as it crosses the Nunapitchuk village selection.

Discussion:

This easement is recreational in nature. It does not meet the requirements of the new easement regulations published November 27, 1978.

- d. (EIN 12 C4) A streamside easement, twenty-five (25) feet in width, upland of and parallel to the ordinary high water mark on all banks of the navigable canal system from Nanapitchuk to Kasigluk.

Discussion:

This easement is recreational in nature. It does not meet the requirements of the new easement regulations published November 27, 1978.

- e. (EIN 13 C) The right of the United States to enter upon the 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:

The new easement regulations make no provision for this type of easement.

- f. (EIN 14 C) Easement for the transportation of energy, fuel and natural resources which are the property of the United States or which are intended for delivery to the United States or which are produced by the United States. These easements also include the right to build any related facilities necessary for the exercise of the right to transport energy, fuel and natural resources, including those related facilities necessary during periods of planning, locating, constructing, operating, maintaining, or terminating transportation systems. The specific location of these easements shall be determined only after consultation with the owner of the servient estate. Whenever the use of such easement will require removal or relocation of any structure owned or authorized by the owner of the servient estate, such use shall not be initiated without the consent of the owner of such improvement; provided, however, that the United States may exercise the right of eminent domain, if such consent is not given. Only those portions of these easements that are actually in use or that are expressly authorized on March 3, 1996, shall continue to be in force.

Discussion:

The new easement regulations make no provision for this type of easement.

- g. (EIN 16a C5) An easement twenty (20) feet in width for a proposed powerline from the power plant at the village of Nunapitchuk in Sec. 5, T. 9 N., R. 74 W., Seward Meridian, westerly to the village of Kasigluk.

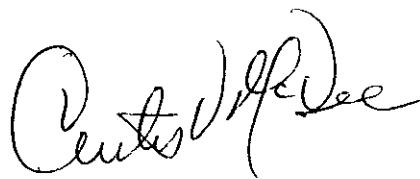
Discussion:

Final design necessary to assure correct location of the proposed powerline is not complete at this time.

- h. (EIN 16b C5) An easement twenty (20) feet in width for the proposed powerline from the power plant at the village of Nunapitchuk in Sec. 5, T. 9 N., R. 74 W., Seward Meridian, southeasterly to the village of Atmautluak.

Discussion:

Final design necessary to assure correct location of the proposed powerline is not complete at this time.



Takslesluk/Kayigyalik Lakes
Attachment 12

22 7/25/80 7/8/80
7/18/80
F-14914-A (Anch) (2651)
~~F-14914-EE~~ (Anch) (75.4)
AA-10372, etc. 1/ (2653)
(961)

JUL 25 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

DECISION

Nunapitchuk Limited	:	F-14914-A
Nunapitchuk, Alaska 99641	:	Village Selection
	:	
Calista Corporation	:	AA-10372, etc. 1/,
516 Denali Street	:	Sec. 14(h)(1) Selections
Anchorage, Alaska 99501	:	

Section 14(h)(1) Applications Rejected in Entirety
Lands Proper for Village Selection
Approved for Interim Conveyance or Patent

This decision rejects improperly filed Sec. 14(h)(1) selections and approves lands in the area of Nunapitchuk for conveyance to Nunapitchuk Limited.

I. SECTION 14(h)(1) APPLICATIONS REJECTED IN ENTIRETY

Calista Corporation filed selection application AA-10372 on November 11, 1975; AA-11219, AA-11312, AA-11313 on April 28, 1976; AA-11603, AA-11604, AA-11605, AA-11607, AA-11614, AA-11619, on June 4, 1976; and AA-11742 on June 25, 1976, pursuant to Sec. 14(h)(1) of the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688, 704; 43 U.S.C. 1601, 1613(h) (1976)) (ANCSA). Section 14(h) and Departmental regulations issued thereunder authorized the Secretary of the Interior to withdraw and convey only unreserved and unappropriated public lands. Since all available lands encompassed in the subject Sec. 14(h)(1) applications had been properly withdrawn under Sec. 11 and selected by Nunapitchuk Limited under Sec. 12 of ANCSA, these lands were not unreserved or unappropriated at the time of selection by Calista Corporation. Therefore, the following applications must be and are hereby rejected in their entirety:

Seward Meridian, Alaska (Unsurveyed)

AA-11619

T. 7 N., R. 76 W.
Sec. 2 (fractional), S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$.

Containing approximately 17 acres.

1/ AA-11219, AA-11312, AA-11313, AA-11603, AA-11604, AA-11605,
AA-11607, AA-11614, AA-11619, AA-11742

- AA-10372 T. 9 N., R. 74 W.
 Sec. 17 (fractional), $E\frac{1}{2}E\frac{1}{2}SW\frac{1}{4}SE\frac{1}{4}$,
 $W\frac{1}{2}W\frac{1}{2}SE\frac{1}{4}SE\frac{1}{4}$.
 Containing approximately 15 acres.
- AA-11219 T. 10 N., R. 74 W.
 Sec. 28 (fractional), $S\frac{1}{2}SW\frac{1}{4}NE\frac{1}{4}$.
 Containing approximately 17 acres.
- AA-11604 Sec. 21 (fractional), $S\frac{1}{2}NW\frac{1}{4}NE\frac{1}{4}NW\frac{1}{4}$,
 $N\frac{1}{2}SW\frac{1}{4}NE\frac{1}{4}NW\frac{1}{4}$.
 Containing approximately 10 acres.
- AA-11607 Sec. 28 (fractional), $S\frac{1}{2}NE\frac{1}{4}SW\frac{1}{4}SW\frac{1}{4}$,
 $SE\frac{1}{4}SW\frac{1}{4}SW\frac{1}{4}$.
 Containing approximately 10 acres.
- AA-11312 Sec. 29 (fractional), $SW\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}$.
 Containing approximately 9 acres.
- AA-11313 Sec. 33 (fractional), $SE\frac{1}{4}NW\frac{1}{4}NW\frac{1}{4}$,
 $NE\frac{1}{4}SW\frac{1}{4}NW\frac{1}{4}$.
 Containing approximately 15 acres.
- AA-11605 Sec. 16 (fractional), $W\frac{1}{2}NW\frac{1}{4}NW\frac{1}{4}SW\frac{1}{4}$.
 Containing approximately 5 acres.
- AA-11603 Sec. 8 (fractional), $E\frac{1}{2}NW\frac{1}{4}SE\frac{1}{4}$.
 Containing approximately 19 acres.
- AA-11614 Sec. 16 (fractional), $SW\frac{1}{4}NW\frac{1}{4}SW\frac{1}{4}$,
 $NW\frac{1}{4}SW\frac{1}{4}SW\frac{1}{4}$.
 Containing approximately 19 acres.
- AA-11742 Sec. 4 (fractional), $S\frac{1}{2}NW\frac{1}{4}NE\frac{1}{4}$.
 Containing approximately 16 acres.

When this decision becomes final, these applications will be closed of record.

II. LANDS PROPER FOR VILLAGE SELECTION, APPROVED FOR INTERIM CONVEYANCE.

On November 22, 1974, Nunapitchuk Limited, for the Native village of Nunapitchuk, filed selection application F-14914-A under the

provisions of Sec. 12 of the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688, 701; 43 U.S.C. 1601, 1611) (1976)) (ANCSA), for the surface estate of certain lands in the vicinity of Nunapitchuk.

Nunapitchuk Limited, in its November 22, 1974 application excluded several bodies of water. Because certain of these water bodies have been determined to be nonnavigable, they are considered to be public lands withdrawn under Sec. 11(a)(1) and available for selection by the village pursuant to Sec. 12(a) of the Alaska Native Claims Settlement Act. Section 12(a) and 43 CFR 2651.4(b) and (c) provide that a village corporation must, to the extent necessary to obtain its entitlement, select all available lands within the township or townships within which the village is located, and that additional lands selected shall be compact and in whole sections. The regulations also provide that the area selected will not be considered to be reasonably compact if it excludes other lands available for selection within its exterior boundaries or an isolated tract of public land of less than 1,280 acres remain after selection. For these reasons, the water bodies which were improperly excluded in the November 22, 1974 application are considered selected by Nunapitchuk Limited.

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 94,565 acres, is considered proper for acquisition by Nunapitchuk Limited, and is hereby approved for conveyance pursuant to Sec. 14(a) of ANCSA:

Lot 2 of U.S. Survey No. 4049, Alaska, situated
in the village of Nunapitchuk approximately
50 miles northwest of Bethel, Alaska.

Containing 0.16 acre.

Seward Meridian, Alaska (Unsurveyed)

T. 8 N., R. 74 W.

Sec. 5, excluding Native allotments F-14967,
F-17334 Parcel B, and Johnson River;

Sec. 6, excluding Native allotments F-15944,
F-17949, and Johnson River;

Sec. 7, excluding Native allotments F-18062
Parcel A and F-14168;

Sec. 8, excluding Native allotments F-17815
Parcels A and B, F-14517 Parcel A, F-18320
Parcel B, F-15578, F-17334 Parcel B, F-14168,
and Johnson River;

- Sec. 17, excluding Native allotments F-18320 Parcel B, F-15943, F-14237, F-15757 Parcel B, F-17815 Parcel B, F-14249, F-14168, and Johnson River;
- Sec. 18, excluding Native allotments F-17708, F-18062 Parcel A, and F-14168;
- Sec. 19, excluding Native allotment F-17708;
- Sec. 20, excluding Native allotments F-15757 Parcel B, F-17535, F-14257 Parcel A, F-14249, F-14237, and Johnson River.

Containing approximately 2,227 acres.

T. 9 N., R. 74 W.

- Secs. 1 and 2, excluding Nunavakanukakslak Lake and unnamed navigable lake system;
- Sec. 3, excluding Nunavakanukakalak Lake;
- Sec. 4, excluding unnamed slough between Nunavakanukakslak Lake and interconnecting slough of the Johnson River;
- Sec. 5, excluding Lot 1 of U.S. Survey 4049 (ANCSA Sec. 3(e) application AA-31245), Lot 2 of U.S. Survey 4049, interconnecting slough of the Johnson River, and unnamed slough between Nunavakanukakslak Lake and interconnecting slough of the Johnson River;
- Sec. 6, excluding Lot 1 of U.S. Survey 4049 (ANCSA Sec. 3(e) application AA-31245), Lot 2 of U.S. Survey 4049, and interconnecting slough of the Johnson River;
- Sec. 7, excluding Native allotment F-14982, and interconnecting slough of the Johnson River;
- Sec. 8, excluding Native allotment F-16984, interconnecting slough of the Johnson River, and unnamed slough between Nunavakanukakslak Lake and interconnecting slough of the Johnson River;
- Secs. 9 and 10, all;
- Sec. 11, excluding unnamed navigable lake system;
- Secs. 12 and 13, excluding unnamed navigable lake system and Pikmiktalik River;
- Sec. 14, excluding unnamed navigable lake system;
- Sec. 15, excluding Native allotments F-14960 Parcel B and F-14986;
- Sec. 16, excluding Native allotments F-14986, F-14985, Johnson River and its interconnecting slough;
- Sec. 17, excluding Native allotments F-14959 Parcel B, F-14985, Johnson River and its interconnecting slough;
- Sec. 18, all;
- Sec. 19, excluding Johnson River;

- Sec. 20, excluding Native allotments F-14964 Parcel A, F-14962 Parcel C, and Johnson River;
- Sec. 21, excluding Native allotments F-14964 Parcel A, F-14962 Parcel C, F-14983 and Johnson River;
- Sec. 22, excluding Native allotment F-14960 Parcel B and Johnson River;
- Sec. 23, excluding Johnson River;
- Secs. 24 and 25, excluding unnamed navigable lake system;
- Sec. 26, excluding Johnson River;
- Sec. 27, excluding Native allotment F-18264 and Johnson River;
- Sec. 28, excluding Native allotments F-18264, F-16723 Parcel A, and Johnson River;
- Secs. 29 to 33, inclusive, all;
- Sec. 34, excluding Native allotment F-17533 and Johnson River;
- Sec. 35, excluding Native allotments F-17533, F-14979 Parcel B, F-18861 and Johnson River;
- Sec. 36, excluding Native allotment F-18861, unnamed navigable lake system, and the Johnson River;

Containing approximately 18,475 acres.

T. 10 N., R. 74 W.

- Sec. 3, excluding Native allotment F-14518 Parcel A, Johnson River, Nunavakanukakslak Lake, and unnamed lake connecting with the Johnson River;
- Sec. 4, excluding Native allotment F-14518 Parcel A, and unnamed lake connecting with the Johnson River;
- Sec. 5, excluding the unnamed lake connecting with the Johnson River;
- Sec. 6, excluding the unnamed lake connecting with the Johnson River, and Kyigayalik Lake;
- Secs. 7 and 8, excluding the unnamed lake connecting with the Johnson River;
- Sec. 9, excluding Johnson River;
- Sec. 10, excluding Johnson River and Nunavakanukakslak Lake;
- Sec. 11, excluding Nunavakanukakslak Lake;
- Secs. 12 and 13, all;
- Sec. 14, excluding Nunavakanukakslak Lake;
- Sec. 15 excluding the Johnson River and Nunavakanukakslak Lake;
- Sec. 16, excluding Native allotment F-14964 Parcel B and the Johnson River;
- Sec. 17, excluding Native allotment F-14565 Parcel B, Johnson River, unnamed lake and its slough connecting with the Johnson River;
- Sec. 18, excluding Native allotment F-14565 Parcel B, and the unnamed lake connecting with the Johnson River;

- Sec. 19, excluding Native allotment F-14565 Parcel B, Johnson River, and the unnamed lake connecting with the Johnson River;
- Sec. 20, excluding Native allotment F-14565 Parcels A and B and the Johnson River;
- Sec. 21, excluding Johnson River and Nunavakanukakslak Lake;
- Secs. 22 to 28, inclusive, excluding Nunavakanukakslak Lake;
- Sec. 29, excluding Native allotments F-14565 Parcel A, F-14961 Parcel C, and the Johnson River;
- Sec. 30, excluding the Johnson River;
- Sec. 31, excluding Native allotment F-14516, unnamed lake and its slough connecting with the Johnson River;
- Sec. 32, excluding unnamed lake connecting with Johnson River;
- Sec. 33, excluding Native allotments F-14963 Parcel B, F-14962 Parcel B, Nunavakanukakslak Lake, and unnamed slough between Nunavakanukakslak Lake and interconnecting slough of the Johnson River;
- Secs. 34, 35 and 36, excluding Nunavakanukakslak Lake.

Containing approximately 10,796 acres.

T. 7 N., R. 75 W.

Secs. 1 to 36, inclusive, all.

Containing approximately 22,886 acres.

T. 8 N., R. 75 W.

- Sec. 1, excluding Native allotments F-15936, F-17949, and the Johnson River;
- Sec. 2, excluding Native allotment F-14966;
- Secs. 3 and 4, all;
- Secs. 5 and 8, excluding Nunavakpak Lake;
- Secs. 9 to 16, inclusive, all;
- Secs. 17 and 20, excluding Nunavakpak Lake;
- Secs. 21 to 28, inclusive, all;
- Secs. 29, 30 and 31, excluding Nunavakpak Lake;
- Secs. 32 to 36, inclusive, all.

Containing approximately 18,408 acres.

T. 7 N., R. 76 W.

- Sec. 1, all;
- Sec. 2, excluding unnamed slough;
- Secs. 3 to 10, inclusive, all;
- Sec. 11, excluding Native allotment F-13308 and unnamed slough;

Sec. 12, excluding unnamed slough;
Secs. 13 to 27, inclusive, all.

Containing approximately 16,850 acres.

T. 8 N., R. 76 W.

Secs. 19 and 20, excluding Nunavakpak Lake;
Secs. 25 to 29, inclusive, excluding Nunavakpak
Lake;
Secs. 30 to 33, inclusive, all;
Sec. 34, excluding Nunavakpak Lake;
Sec. 35, excluding Nunavakpak Lake and
unnamed slough;
Sec. 36, excluding Nunavakpak Lake.

Containing approximately 4,923 acres.

Aggregating approximately 94,565 acres.

Calista Corporation filed regional in lieu selection application AA-8099-1 on December 17, 1975, for the subsurface estate pursuant to Sec. 12(a)(1) of ANCSA and 43 CFR 2652 as to lands in:

Seward Meridian, Alaska (Unsurveyed)

T. 7 N., R. 76 W.

Secs. 4 to 9, inclusive, all;
Secs. 16 to 21, inclusive, all.

Containing approximately 7,570 acres.

T. 8 N., R. 76 W.

Secs. 19 and 20, excluding Nunavakpak Lake;
Secs. 28 and 29, excluding Nunavakpak Lake;
Secs. 30 to 33, inclusive, all.

Containing approximately 3,375 acres.

Aggregating approximately 10,945 acres.

The above-described lands lie within those selected by Nunapitchuk Limited for the village of Nunapitchuk. Calista Corporation will receive title to the subsurface estate at the time the village receives title to the surface estate. This acreage will not be charged against Calista Corporation's in-lieu entitlement.

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

1. The subsurface estate therein, and all rights, privileges, immunities, and appurtenances, of whatsoever nature, accruing unto said estate pursuant to the Alaska Native

Claims Settlement Act of December 18, 1971 (85 Stat. 688, 704; 43 U.S.C. 1601, 1613(f)); and

2. Pursuant to Sec. 17(b) of the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688, 708; 43 U.S.C. 1601, 1616(b)), 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-14914-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)).

- a. (EIN 1 C3, D1, D9) An easement for an existing access trail, twenty-five (25) feet in width, from Bethel in Sec. 9, T. 8 N., R. 71 W., Seward Meridian, westerly to Kasigluk, linking the villages of Kasigluk, Nunapitchuk, and Atmautluak with Bethel. 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.
- b. (EIN 16 C5) An easement for an existing Alaska Village Electric Cooperative, Inc. (AVEC), power-plant site in Sec. 5, T. 9 N., R. 74 W., Seward Meridian, being more particularly described as follows:

Beginning at witness corner meander corner 6 of U.S. Survey No. 4049;

thence N. 64°46'00" W. along the south line of U.S. Survey No. 4049, a distance of 30.00 feet, to AVEC corner No. 1 the true point of beginning;

Thence S. 64°46'00" E. along the south line of U.S. Survey 4049, a distance of 230.00 feet to AVEC corner No. 2;

thence N. 42°19'30" W. for a distance of 248.85 feet to AVEC corner No. 4;

thence N. 25°14'00" E. for a distance of 35.00 feet to AVEC corner No. 1 the true point of beginning.

The parcel of land to which the above description applies contains 0.44 acres, more or less.

The allowed uses of the easement are the construction, operation and maintenance of an electric power generation facility.

- c. (EIN 17 C5) An easement twenty (20) feet in width for the existing powerline from the power plant at the village of Nunapitchuk in Sec. 5, T. 9 N., R. 74 W., Seward Meridian, westerly to the village of Kasigluk. The uses are those associated with the construction, operation and maintenance of the powerline.

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

1. Issuance of a patent confirming the boundary description of the unsurveyed lands hereinabove granted after approval and filing by the Bureau of Land Management of the official plat of survey covering such lands;
2. Valid existing rights therein, if any, including but not limited to those created by any lease (including a lease issued under Sec. 6(g) of the Alaska Statehood Act of July 7, 1958 (72 Stat. 339, 341; 48 U.S.C. Ch. 2, Sec. 6(g))), 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 (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;
3. A right-of-way, F-12031, containing approximately 20,000 square feet, in Sec. 5, T. 9 N., R. 74 W., Seward Meridian, Alaska (unsurveyed) for a power site issued to Alaska Village Electric Cooperative, Inc. Act of March 4, 1911 (36 Stat. 1253; 43 U.S.C. 961), as amended; and
4. Requirements of Sec. 14(c) of the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688, 703; 43 U.S.C. 1601, 1613(c)), that the grantee hereunder convey those portions, if any, of the lands hereinabove granted, as are prescribed in said section.

A school site lease, AA-13184, containing 3.061 acres, in Sec. 5, T. 9 N., R. 74 W., Seward Meridian, Alaska (unsurveyed) granted to the State of Alaska, pursuant to and subject to the terms and

conditions of section 302 of the Federal Land Policy and Management Act of 1976, Public Law 94-579 of October 21, 1976 (90 Stat. 2743) and the Alaska Native Claims Settlement Act of December 18, 1971 (43 U.S.C. Sec. 1622(i)) will terminate on conveyance of title of said land to the above-named corporation.

Nunapitchuk Limited is entitled to conveyance of 115,200 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 94,565 acres. The remaining entitlement of approximately 20,635 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 Nunapitchuk Limited and shall be subject to the same conditions as the surface conveyance.

Within the above-described lands, only the following inland water bodies are considered to be navigable:

The Johnson River and its interconnecting sloughs throughout the selection.

Nunavakanukakslak Lake

Nunavakpak Lake

Kyigayalik Lake

The Pikmiktalik River where it flows from the interconnecting unnamed lake system between Nunavakanukakslak Lake and the Johnson River in Sec. 12, T. 9 N., R. 74 W., Seward Meridian downstream to Atmautluak.

The unnamed lake in Secs. 4, 5, 6, 7, 8 and 18, T. 10 N., R. 74 W., Seward Meridian.

The unnamed slough from where it flows from the aforementioned unnamed lake in Sec. 7 to its confluence with the Johnson River in Sec. 17, T. 10 N., R. 74 W., Seward Meridian.

The unnamed lake in Secs. 19, 20, 29, 30, 31 and 32, T. 10 N., R. 74 W., Seward Meridian.

The unnamed slough from where it flows from the aforementioned unnamed lake in Sec. 31, T. 10 N., R. 74 W., Seward Meridian to its confluence with the Johnson River in Secs. 16 and 17, T. 9 N., R. 74 W., Seward Meridian. Subject slough traverses Sec. 31, T. 10 N., R. 74 W., and Secs. 5, 6, 8, 9, 16 and 17, T. 9 N., R. 74 W., Seward Meridian.

The unnamed slough from where it flows from Nunavakanukakslak Lake in Sec. 28, T. 10 N., R. 74 W., Seward Meridian to its confluence with the aforementioned unnamed slough near the village of Nunapitchuk in Sec. 5, T. 9 N., R. 74 W., Seward Meridian. Subject slough traverses Secs. 28, 32 and 33, T. 10 N., R. 74 W. and Sec. 5, T. 9 N., R. 74 W., Seward Meridian.

The unnamed slough (canal) and lake system from the unnamed slough near the village of Nunapitchuk to its confluence with the Johnson River at the village of Kasiglak. Subject slough traverses Sec. 6, T. 9 N., R. 74 W., and Secs. 1 and 12, T. 9 N., R. 75 W., Seward Meridian.

The unnamed lake system between Nunavakanukakslak Lake and the Johnson River in Sec. 31, T. 10 N., R. 73 W., Secs. 34, 35 and 36, T. 10 N., R. 74 W., and Secs. 1, 2, 3, 10, 11, 12, 13, 14, 15, 23, 24, 25, 26 and 36, T. 9 N., R. 74 W., Seward Meridian.

The unnamed slough beginning in Sec. 1, T. 7 N., R. 76 W., Seward Meridian to where it flows into Nunavakpak Lake in Sec. 26, T. 8 N., R. 76 W., Seward Meridian. Subject slough traverses Secs. 1 and 2, T. 7 N., R. 76 W., and Secs. 26 and 35, T. 8 N., R. 76 W., Seward Meridian.

Enclosed are copies of current status plats showing the lands approved for conveyance along with maps showing the easements to be reserved.

In accordance with Departmental Regulation 43 CFR 2650.7(d), notice of this decision is being published once in the Federal Register and once a week, for four (4) consecutive weeks, in The Tundra Drums. Any party claiming a 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, P.O. Box 2433, Anchorage, Alaska 99510 with a copy served upon both the Bureau of Land Management, Alaska State Office, 701 C Street, Box 13, Anchorage, Alaska 99513, and the Regional Solicitor, Office of the Solicitor, 510 L Street, Suite 408, Anchorage, Alaska 99501. 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 AUG 29 1980 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 ASO Form 2650-4.)

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

Nunapitchuk Limited
Nunapitchuk, Alaska 99641

Calista Corporation
516 Denali Street
Anchorage, Alaska 99501

/s/ TERRY R. HASSETT

Acting Chief, Branch of Adjudication

Enclosures:

ASO Form 2650-4

43 CFR Part 4, Subpart J

Maps

Plats

Legend

cc:

Mike W. Franks
Construction Contracts Administration
Lower Kuskokwim School District
P.O. Box 305
Bethel, Alaska 99559
(w/maps and legend)

State of Alaska
Department of Natural Resources
Division of Research and Development
323 East Fourth Avenue
Anchorage, Alaska 99501
(w/maps and legend)

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

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

Alaska Legal Services Corporation
736 G Street
Anchorage, Alaska 99501

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

DM-A (018)
(w/maps and legend)

AM (018)
(w/maps and legend)

941 Chief, Branch of Lands

922 Chief, Branch of Office Engineering

AA-8099-1 (2652)

AA-13184 (2910)

AA-12031 (2800)

961*TPickett/DDiakakis*cm*12/18/79x5808
2CMBLM*B

pd/01/08/80
pd/01/30/80
pd/02/12/80
kb/02/12/80
hd 06/05/80
hd 06/11/80
hd 07/02/80
hd 07/11/80
eaj 07/16/80



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-14873-A (2651)
✓ F-14873-EE (75.4)
(963)

Takslesluk/Kayigyalik Lakes
Attachment 13

MAY 26 1981

Memorandum

To: Chief, Division of ANCSA Operations (960)

From: SD

Subject: Final Easements for the Village of Kasigluk

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

MAJOR WATERWAYS:

Major waterways were discussed. The Johnson River including the left branch is major throughout the selection. The Kyigayalik Lake and the slough between Nunapitchuk and Kasigluk are also major. The Johnson River and slough have significant use and provide access to public land and to the Yukon River. The left branch of the Johnson River has significant use and provides access to the Kyigayalik Lake and onto Baird Inlet.

NAVIGABILITY:

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

The Johnson River and its interconnecting sloughs throughout the selection.

Kyigayalik Lake.

Nunavakpak Lake.

The unnamed slough and lake system and its interconnecting sloughs, from just north of the abandoned site of Nunachuk in Sec. 22, T. 10 N., R. 75 W., upstream to where it flows from Nunavakpak Lake in Sec. 28, T. 9 N., R. 76 W., Seward Meridian.

The unnamed slough and lake system and its interconnecting sloughs flowing from Kyigayalik Lake to its confluence with the Johnson River at Kasigluk. Subject system traverses Secs. 15, 21, 22, 28, 33, and 34, T. 10 N., R. 75 W.; and Secs. 2, 3, and 11, T. 9 N., R. 75 W., Seward Meridian.

The unnamed slough and lake system and its interconnecting sloughs lying between the aforementioned unnamed slough and the Johnson River in Secs. 14, 21, 22, 23, 25, 26, 27, 28, 34, and 35, T. 10 N., R. 75 W., Seward Meridian.

The unnamed slough and lake system and its interconnecting sloughs in Secs. 25 and 36, T. 10 N., R. 75 W.; and Sec. 1, T. 9 N., R. 75 W., Seward Meridian.

The unnamed slough (canal) and lake system and its interconnecting sloughs from the unnamed slough near the village of Nunapitchuk to its confluence with the Johnson River at the village of Kasigluk. Subject system traverses Secs. 1 and 12, T. 9 N., R. 75 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 identified. 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)).

60 Foot Road - The uses allowed on a sixty (60) 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 for 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 1 C3, D1, D9) An easement for an existing access trail, twenty-five (25) feet in width, from the left bank of the Johnson River in Sec. 2, T. 9 N., R. 75 W., Seward Meridian, through the village of Kasigluk easterly to Bethel. 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:

Reservation of this existing winter trail is necessary to assure continued public access for intervillage travel. The trail passes through Nunapitchuk and continues southeasterly to Bethel and the public waters of the Kuskokwim River.

- b. (EIN 3 C3, E) An easement for a proposed access trail, twenty-five (25) feet in width, from the south end of the Kasigluk Airport, in Sec. 14, T. 9 N., R. 75 W., Seward Meridian, southwesterly to public land. 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:

Reservation of this trail easement is necessary to facilitate access to Nunavakpak Lake and public lands. This easement will be aligned to avoid Native allotments.

- c. (EIN 6 C4) A one (1) acre site easement, upland of the ordinary high water mark, in Sec. 13, T. 9 N., R. 75 W., Seward Meridian, on the right bank of the Johnson River. The uses allowed are those listed above for a one (1) acre site.

Discussion:

This one acre site easement is necessary to facilitate use of the Johnson River for travel to Kasigluk, Nunapitchuk, and public waters to the north and south. People flying into the area at the airstrip can move their supplies and equipment to the site over road EIN 6a C4 before proceeding on the river. At the site, space will be provided for overnight camping, boat moorage, floatplane tie-up, and temporary storage of equipment. The site should be constructed where the road from the airport meets the river, avoiding the Native allotments.

- d. (EIN 6a C4) An easement, twenty-six (26) feet in width, for an existing road from the Kasigluk airstrip in Secs. 13 and 14, T. 9 N., R. 75 W., Seward Meridian, northeasterly to the Johnson River. The uses allowed are those listed above for a sixty (60) foot wide road easement.

Discussion:

This is an existing road that has been used to haul freight and passengers between the airport and the Johnson River. Originally, the easement recommendation had been for a twenty-five (25) foot trail. However, the twenty-five (25) foot width was considered inadequate because larger vehicles are used to move freight between the airport and the river for travel on to Kasigluk and Nunapitchuk. The easement is being reserved as a twenty-six foot road to protect the existing use and to provide access to site EIN 6 C4 on the Johnson River. The road is presently under Right-of-Way application AA-15039.

- e. (EIN 17 C5) An easement, twenty (20) feet in width, for the existing powerline from the village of Kasigluk in Sec. 1, T. 9 N., R. 75 W., Seward Meridian, easterly to the power plant at the village of Nunapitchuk. The uses are those associated with the construction, operation and maintenance of the powerline.

Discussion:

Reservation of this easement for the existing powerline is necessary to assure continued electric power service to the village of Kasigluk.

The following easements were considered but not recommended:

- a. (EIN 3a E) A site easement, upland of the ordinary high water mark, in Sec. 24, T. 9 N., R. 76 W., Seward Meridian, on the north shore of Nunavakpak Lake.

Discussion:

This easement was not reserved because of very shallow shore conditions along the north shore of Nunavakpak Lake, which makes the site unusable for both float planes and watercraft.

- b. (EIN 7 C4, C5) A streamside easement, twenty-five (25) feet in width, upland of and parallel to the ordinary high water mark on all banks of the Johnson River, and an easement on the entire bed of the nonnavigable portion of the Johnson River.

Discussion:

This easement is recreational in nature. It does not meet the requirements of the new easement regulations published November 27, 1978.

- c. (EIN 8 C4) A streamside easement, twenty-five (25) feet in width, upland of and parallel to the ordinary high water mark on all banks of the navigable canal system, from Kasigluk easterly to Nunapitchuk.

Discussion:

This easement is recreational in nature. It does not meet the requirements of the new easement regulations published November 27, 1978.

- d. (EIN 9 C4, C5) A streamside easement, twenty-five (25) feet in width, upland of and parallel to the ordinary high water mark on all banks, and an easement on the entire bed of the stream draining Kyigayalik Lake in its entirety through the Kasigluk selection area.

Discussion:

This easement is recreational in nature. It does not meet the requirements of the new easement regulations published November 27, 1978.

- e. (EIN 10 C) The right of the United States to enter upon the 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:

The new easement regulations make no provision for this type of easement.

- f. (EIN 11 C) Easement for transportation of energy, fuel, and natural resources which are the property of the United States or which are intended for delivery to the United States or which are produced by the United States. These easements also include the right to build any related facilities necessary for the exercise of the right to transport energy, fuel and natural resources, including those related facilities necessary during periods of planning, locating, constructing, operating, maintaining or terminating transportation systems.

Discussion:

The new easement regulations make no provision for this type of easement.

- g. (EIN 16a C5) An easement, twenty (20) feet in width, for a proposed buried powerline from the airstrip in Secs. 13 and 14, T. 9 N., R. 75 W., Seward Meridian, northerly to the village of Kasigluk, thence easterly to the powerplant at the village of Nunapitchuk.

Discussion:

Final design necessary to assure correct location of the proposed powerline is not complete at this time.

CC:

Bureau of Land Management
Bethel Field Station
Attn: Steve Durkee
Box 666
Bethel, Alaska 99559



Area Director
U.S. Fish & Wildlife Service
Attn: Bill Mattice
1011 East Tudor Road
Anchorage, Alaska 99507

Anchorage District Office
DM-013 Attn: Mac Wheeler

ADM-Attn: McGrath Resource Area

Alaska State Office - 930

Takslesluk/Kayigyalik Lakes
Attachment 14

F-14873-A (2651)
F-14873-A2 (2651)
F-14873-EE (75.4)
AA-8099-1 (2652)
AA-10152 1/ (2653)
(961)

2/26/82
2/26/82
PL

MAR 02 1982

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

DECISION

Kasigluk, Inc.	:	F-14873-A, F-14873-A2
Kasigluk, Alaska 99609	:	Village Selections
	:	
Calista Corporation	:	AA-8099-1
516 Denali Street	:	Regional Selection
Anchorage, Alaska 99501	:	
	:	AA-10152 1/
	:	Section 14(h)(1) Selections

Section 14(h)(1) Applications Rejected in Entirety
Section 12(b) Application Rejected in Part
Regional Selection Application Rejected in Part
Lands Proper for Village Selection
Approved for Interim Conveyance

On November 19, 1974, Kasigluk, Inc., for the Native village of Kasigluk, filed selection application F-14873-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 Kasigluk.

Calista Corporation filed selection applications AA-10152, AA-10373, AA-10374 on November 3, 1975; AA-10375 on November 11, 1975; AA-11598, AA-11599, AA-11600, AA-11606, AA-11620, AA-11637, AA-11638 on June 4, 1976; and AA-11741 on June 25, 1976, pursuant to Sec. 14(h)(1) of ANCSA (43 U.S.C. 1601, 1613(h)). Section 14(h) of ANCSA authorizes the Secretary of the Interior to withdraw and convey only unreserved and unappropriated public lands. Since

1/ AA-10373, AA-10374, AA-10375, AA-11598, AA-11599, AA-11600,
AA-11606, AA-11620, AA-11637, AA-11638, AA-11741

the lands encompassed in the subject Sec. 14(h)(1) applications had been properly withdrawn under Sec. 11 and selected by Kasigluk, Inc., under Sec. 12 of ANCSA, or were in lands under Native allotment applications, these lands were not unreserved or unappropriated at the time of selection by Calista Corporation. Therefore, the above-referenced Sec. 14(h)(1) selection applications must be and are hereby rejected in their entirety. When this decision becomes final, these applications will be closed of record.

On December 12, 1975, Kasigluk, Inc., filed selection application F-14873-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-14873-A2 is hereby rejected as to the lands herein approved for conveyance.

Calista Corporation filed regional in-lieu selection application AA-8099-1 on December 17, 1975, for the subsurface estate pursuant to Sec. 12(a)(1) of ANCSA and 43 CFR 2652 as to the following described lands:

Seward Meridian, Alaska (Unsurveyed)

T. 8 N., R. 77 W.

Secs. 3 to 10, inclusive;

Secs. 14 to 34, inclusive.

Containing approximately 17,325 acres.

These lands had been selected by Kasigluk, Inc., for the village of Kasigluk. Calista Corporation will receive title to the subsurface estate at the time the village corporation receives title to the surface estate. Regional selection AA-8099-1 is rejected as to the above-described lands. Further action on regional selection application AA-8099-1 as to those lands not rejected herein, will be taken at a later date.

Kasigluk, Inc. in its November 19, 1974 application excluded several bodies of water. Because certain of those water bodies have been determined to be nonnavigable, they are considered to be public lands withdrawn under Sec. 11(a)(1) and available for selection by the village pursuant to Sec. 12(a) of ANCSA. Section 12(a) and 43 CFR 2651.4(b) and (c) provide that a village corporation must, to the extent necessary to obtain its entitlement, select all available lands within the township or townships within which the village is located, and that additional lands selected shall be compact and in whole sections. For these reasons, the water bodies which were improperly excluded in the November 19, 1974 application are considered selected by Kasigluk, Inc.

As to the lands described below, the application, as amended, submitted by Kasigluk, Inc., is properly filed and meets 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.

In view of the foregoing, the surface estate of the following described lands, selected pursuant to Sec. 12(a) of ANCSA, aggregating approximately 103,523 acres, is considered proper for acquisition by Kasigluk, Inc. and is hereby approved for conveyance pursuant to Sec. 14(a) of ANCSA.

Seward Meridian, Alaska (Unsurveyed)

T. 9 N., R. 75 W.

Sec. 2, excluding Native allotment F-18252;
 Sec. 3, excluding Native allotment F-17357;
 Sec. 4, excluding Native allotments F-17352, F-17297, F-17355, F-17358, and F-17357;
 Sec. 5, excluding Native allotment F-17355;
 Secs. 6 and 7;
 Sec. 8, excluding Native allotments F-17356 and F-17355;
 Sec. 9, excluding Native allotments F-17355, F-17357, and F-17358;
 Sec. 10, excluding Native allotments F-17247, F-17357, and F-18214;
 Sec. 11, excluding Native allotments F-18252, F-17299, F-14563, F-18214, F-17353, and F-14562;
 Sec. 12;
 Sec. 14, excluding Native allotments F-17246, F-18881, F-14562, F-17294, and F-17298;
 Secs. 15 to 22, inclusive;
 Sec. 23, excluding Native allotment F-18880;
 Sec. 24, excluding Native allotments F-17359, F-17292, and F-18879;
 Sec. 25, excluding Native allotments F-17292 and F-17293;
 Secs. 26 to 30, inclusive;
 Secs. 33 to 36, inclusive.

Containing approximately 14,866 acres.

T. 10 N., R. 75 W.

Sec. 6;
 Secs. 7 and 8, excluding Native allotments F-14560 Parcel B and F-18103;
 Secs. 9 and 13;
 Sec. 14, excluding Native allotment F-18256;
 Sec. 16;
 Secs. 17 and 18, excluding Native allotments F-18886 and F-18103;
 Sec. 19, excluding Native allotment F-18216;
 Sec. 20, excluding Native allotments F-14174 and F-17494;
 Secs. 21, 22, and 23;

Secs. 24 and 25, excluding Native allotments F-18213 and F-18215;
 Secs. 26 and 27;
 Sec. 28, excluding Native allotments F-17435, F-17351, and F-14980 Parcel C;
 Sec. 29, excluding Native allotments F-17435 and F-17351;
 Secs. 30 and 31;
 Sec. 32, excluding Native allotments F-17349, F-17493, and F-16877;
 Sec. 33, excluding Native allotments F-17350 and F-18217;
 Secs. 34 and 35;
 Sec. 36, excluding Native allotment F-14516.

Containing approximately 9,397 acres.

T. 9 N., R. 76 W.

Sec. 1, excluding Native allotments F-18260 and F-17354;
 Sec. 2, excluding Native allotment F-18259;
 Secs. 3 to 12, inclusive;
 Sec. 13, excluding Native allotment F-17296;
 Secs. 14 and 15;
 Sec. 16, excluding Native allotment F-18255;
 Secs. 17, 18, and 19;
 Sec. 20, excluding Native allotment F-14561;
 Sec. 21, excluding Native allotments F-18255 and F-14561;
 Sec. 22, excluding Native allotment F-17534;
 Secs. 23 to 27, inclusive;
 Sec. 28, excluding Native allotments F-14560 Parcel A, F-14561, and F-18258;
 Sec. 29, excluding Native allotment F-14561;
 Secs. 30 to 33, inclusive.

Containing approximately 17,863 acres.

T. 10 N., R. 76 W.

Sec. 1, excluding Native allotment F-14981 Parcel A;
 Sec. 2;
 Secs. 3 and 4, excluding Native allotment F-18257;
 Secs. 5 to 23, inclusive;
 Sec. 24, excluding Native allotment F-18216;
 Sec. 25, excluding Native allotment F-15827 Parcel A;
 Secs. 26 to 36, inclusive.

Containing approximately 22,577 acres.

T. 8 N., R. 77 W.

Secs. 3 to 7, inclusive;
 Sec. 8, excluding Native allotment F-14564 Parcel A;
 Secs. 9, 10, 11, and 13;
 Sec. 14, excluding Native allotment F-14981 Parcel B;
 Secs. 15 and 16;

Sec. 17, excluding Native allotments F-14981 Parcel C
and F-14564 Parcel A;
Secs. 18 to 22, inclusive;
Sec. 23, excluding Native allotment F-14981 Parcel B;
Secs. 24 to 34, inclusive.

Containing approximately 17,150 acres.

T. 9 N., R. 77 W.
Secs. 1, 2, and 3;
Secs. 10 to 15, inclusive;
Secs. 22 to 27, inclusive;
Secs. 34, 35, and 36.

Containing approximately 11,520 acres.

T. 10 N., R. 77 W.
Secs. 1 and 2;
Secs. 11 to 15, inclusive;
Sec. 22;
Sec. 23, excluding Native allotment F-15070;
Secs. 24 and 25;
Secs. 26 and 27, excluding Native allotment F-15070;
Secs. 34, 35, and 36.

Containing approximately 10,150 acres.

Aggregating approximately 103,523 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-14873-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 as lands are under applications pending further adjudication. These exclusions do not constitute a rejection of the selection application, unless specifically so stated.

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

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-14873-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)).

60 Foot Road - The uses allowed on a sixty (60) 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.

- a. (EIN 1 C3, D1, D9) An easement for an existing access trail, twenty-five (25) feet in width, from the left bank of the Johnson River in Sec. 2, T. 9 N., R. 75 W., Seward Meridian, through the village of Kasigluk easterly to Bethel. 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.
- b. (EIN 3 C3, E) An easement for a proposed access trail, twenty-five (25) feet in width, from the south end of the Kasigluk airport, in Sec. 14, T. 9 N., R. 75 W., Seward Meridian, southwesterly to public land. 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 6a C4) An easement, twenty-six (26) feet in width, for an existing road from the Kasigluk airstrip in Secs. 13 and 14, T. 9 N., R. 75 W., Seward Meridian, northeasterly to the Johnson River. The uses allowed are those listed above for a sixty (60) foot wide road easement.
- d. (EIN 17 C5) An easement, twenty (20) feet in width, for the existing powerline from the village of Kasigluk in Sec. 1, T. 9 N., R. 75 W., Seward Meridian, easterly to the power plant at the village of Nunapitchuk. The uses are those associated with the construction, operation and maintenance of the powerline.

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;
3. Airport lease, F-15928, located in Secs. 11, 12, and 14, T. 9 N., R. 75 W., Seward Meridian, issued to the State of Alaska, Department of Transportation and Public Facilities, under the provisions of the act of May 24, 1928 (49 U.S.C. 211-214); and
4. 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.

Kasigluk, Inc. is entitled to conveyance of 115,200 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 103,523 acres. The remaining entitlement of approximately 11,677 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 Kasigluk, Inc., and shall be subject to the same conditions as the surface conveyance.

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 a 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:

Kasigluk, Inc.
Kasigluk, Alaska 99609

Calista Corporation
516 Denali Street
Anchorage, Alaska 99501

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

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

cc:

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

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

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

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

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

Alaska Legal Services Corporation
615 H Street, Suite 100
Anchorage, Alaska 99501

State of Alaska (CM-RRR)
Department of Natural Resources
Division of Research and Development
Pouch 7-005
Anchorage, Alaska 99510
(w/maps and legend)

Mr. John Moses
Alaska Native Foundation
411 West Fourth Avenue
Suite 314
Anchorage, Alaska 99501

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

Alaska Village Electric Cooperative, Inc.
999 Tudor Road
Anchorage, Alaska 99502

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

U.S. Department of the Interior
Bureau of Indian Affairs
Juneau Area Office
Box 3-8000
Juneau, Alaska 99801
(w/maps and legend)

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

F-15928 (2911)

F-12038 (2800)

DM-A (010)
(w/maps)

AM-M (018)
(w/maps)

Chief, Branch of Lands (941)

Chief, Branch of Office Engineering (922)

Chief, Branch of Easement Identification (963)

Fire Management (970)
Attn: J. Costello

961:DGibbens:lm:07/23/81
1DIC/M cea:08/03/81
cea:08/10/81
eaj:08/26/81
eaj:08/28/81
wmc:10/06/81
wmc:10/07/81

cea:10/09/81
eaj:10/15/81*f
lm:1/7/82*f
eaj:1/15/82*f
eaj:1/20/82*f
eaj:1/26/82*f
eaj:02/08/82*f
eaj:02/09/82*f
slt:02/24/82*f
eaj:02/25/82*f

INTERIM CONVEYANCE

WHEREAS

Nunapitchuk Limited

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

Seward Meridian, Alaska (Unsurveyed)T. 8 N., R. 74 W.

- Sec. 5, excluding Native allotments F-14967 and F-17334 Parcel B;
- Sec. 6, excluding Native allotments F-15944 and F-17949;
- Sec. 7, excluding Native allotments F-18062 Parcel A and F-14168;
- Sec. 8, excluding Native allotments F-17815 Parcels A and B, F-14517 Parcel A, F-18320 Parcel B, F-15578, F-17334 Parcel B, and F-14168;
- Sec. 17, excluding Native allotments F-18320 Parcel B, F-15943, F-14237, F-15757 Parcel B, F-14249, and F-14168;
- Sec. 18, excluding Native allotments F-17708, F-18062 Parcel A, and F-14168;
- Sec. 19, excluding Native allotment F-17708;
- Sec. 20, excluding Native allotments F-15757 Parcel B, F-17535, F-14257 Parcel A, F-14249, and F-14237.

Containing approximately 2,227 acres.

T. 9 N., R. 74 W.

- Secs. 1 to 4, inclusive;
- Sec. 5, excluding Lot 1 of U.S. Survey No. 4049 (Alaska Native Claims Settlement Act Sec. 3(e) application AA-31245), Lot 2 of U.S. Survey No. 4049, and Alaska Native Claims Settlement Act Sec. 3(e) application AA-41133;
- Sec. 6, excluding Lot 1 of U.S. Survey No. 4049 (Alaska Native Claims Settlement Act Sec. 3(e) application AA-31245) and Lot 2 of U.S. Survey No. 4049;
- Sec. 7, excluding Native allotment F-14982;
- Sec. 8, excluding Native allotment F-16984;
- Secs. 9 to 14, inclusive;
- Sec. 15, excluding Native allotments F-14960 Parcel B and F-14986;
- Sec. 16, excluding Native allotments F-14986 and F-14985;
- Sec. 17, excluding Native allotments F-14959 Parcel B and F-14985;
- Sec. 18, excluding Native allotment F-17496 Parcel B;
- Sec. 19;
- Sec. 20, excluding Native allotments F-14964 Parcel A and F-14962 Parcel C;
- Sec. 21, excluding Native allotments F-14964 Parcel A, F-14962 Parcel C, and F-14983;

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Interim Conveyance No. _____

Date MAR 15 1982

This Document has been
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Dated 09/07/05

Sec. 22, excluding Native allotment F-14960
Parcel B;
Secs. 23 to 26, inclusive;
Sec. 27, excluding Native allotment F-18264;
Sec. 28, excluding Native allotments F-18264 and
F-16723 Parcel A;
Secs. 29 to 33, inclusive;
Sec. 34, excluding Native allotments F-17533 and
F-14979 Parcel B;
Sec. 35, excluding Native allotments F-17533,
F-14979 Parcel B, and F-18861;
Sec. 36, excluding Native allotment F-18861.

Containing approximately 18,424 acres.

T. 10 N., R. 74 W.

Secs. 3 and 4, excluding Native allotment F-14518;
Secs. 5 to 15, inclusive;
Sec. 16, excluding Native allotment F-14964
Parcel B;
Secs. 17, 18, and 19, excluding Native allotment
F-14565 Parcel B;
Sec. 20, excluding Native allotment F-14565
Parcels A and B;
Secs. 21 to 28, inclusive;
Sec. 29, excluding Native allotments F-14565
Parcel A and F-14961 Parcel C;
Sec. 30;
Sec. 31, excluding Native allotment F-14516;
Sec. 32;
Sec. 33, excluding Native allotments F-14963
Parcel B, and F-14962 Parcel B;
Secs. 34, 35 and 36.

Containing approximately 10,416 acres.

T. 7 N., R. 75 W.

Secs. 1 to 36, inclusive.

Containing approximately 22,886 acres.

T. 8 N., R. 75 W.

Sec. 1, excluding Native allotments F-15936
and F-17949;
Sec. 2, excluding Native allotment F-14966;
Secs. 3, 4, and 5;
Secs. 8 to 17, inclusive;
Secs. 20 to 36, inclusive.

Containing approximately 18,343 acres.

T. 7 N., R. 76 W.

Secs. 1 to 10, inclusive;
Sec. 11, excluding Native allotment F-13308;
Secs. 12 to 27, inclusive.

Containing approximately 16,855 acres.

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Date MAR 15 1982

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T. 8 N., R. 76 W.
Secs. 19 and 20;
Secs. 25 to 36, inclusive.

Containing approximately 4,923 acres.

Aggregating approximately 94,074 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-14914-EE.

Also excluded from the above-described lands herein conveyed are lands covered by tidal waters up to the line of mean high tide. The actual limits of tidal influence for those water bodies, if any, will be determined at the time of survey.

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 (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-14914-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 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, dogsled, animals, snowmobiles, two- and three-wheel vehicles, and small all-terrain vehicles (less than 3,000 lbs., Gross Vehicle Weight (GVW)).

 - a. (EIN 1 C3, D1, D9) An easement for an existing access trail, twenty-five (25) feet in width, from Bethel in Sec. 9, T. 8 N., R. 71 W., Seward Meridian, westerly to Kasigluk, linking the villages of

Interim Conveyance No. 485

Date MAR 15 1982

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Kasigluk, Nunapitchuk, and Atmautluak with Bethel. 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.

- b. (EIN 16 C5) An easement for an existing Alaska Village Electric Cooperative, Inc. (AVEC), power-plant site in Sec. 5, T. 9 N., R. 74 W., Seward Meridian, being more particularly described as follows:

Beginning at witness corner meander corner 6 of U.S. Survey No. 4049;

thence N. 64°46'00" W. along the south line of U.S. Survey No. 4049, a distance of 30.00 feet, to AVEC corner No. 1 the true point of beginning;

Thence S. 64°46'00" E. along the south line of U.S. Survey 4049, a distance of 230.00 feet to AVEC corner No. 2;

thence N. 42°19'30" W. for a distance of 248.85 feet to AVEC corner No. 4;

thence N. 25°14'00" E. for a distance of 35.00 feet to AVEC corner No. 1 the true point of beginning.

The parcel of land to which the above description applies contains 0.44 acres, more or less.

The allowed uses of the easement are the construction, operation and maintenance of an electric power generation facility.

- c. (EIN 17 C5) An easement twenty (20) feet in width for the existing powerline from the power plant at the village of Nunapitchuk in Sec. 5, T. 9 N., R. 74 W., Seward Meridian, westerly to the village of Kasigluk. The uses are those associated with the construction, operation and maintenance of the powerline.

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 (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

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Interim Conveyance No. _____

Date MAR 15 1982

This Document has been
corrected by IC No. 1907
Dated 09/07/05

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.

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 15th day of March, 1982, in Anchorage, Alaska.

UNITED STATES OF AMERICA

Alvin D. Arnold

Assistant to the State Director
for Conveyance Management

Interim Conveyance No. _____

Date MAR 15 1982

485

This Document has been
corrected by IC No. 1907
Dated 09/07/05

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 (43 U.S.C. 1601, 1613(f) and 1621(j)), as amended, of the sub-surface 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. 8 N., R. 74 W.

- Sec. 5, excluding Native allotments F-14967 and F-17334 Parcel B;
- Sec. 6, excluding Native allotments F-15944 and F-17949;
- Sec. 7, excluding Native allotments F-18062 Parcel A and F-14168;
- Sec. 8, excluding Native allotments F-17815 Parcels A and B, F-14517 Parcel A, F-18320 Parcel B, F-15578, F-17334 Parcel B, and F-14168;
- Sec. 17, excluding Native allotments F-18320 Parcel B, F-15943, F-14237, F-15757 Parcel B, F-14249, and F-14168;
- Sec. 18, excluding Native allotments F-17708, F-18062 Parcel A, and F-14168;
- Sec. 19, excluding Native allotment F-17708;
- Sec. 20, excluding Native allotments F-15757 Parcel B, F-17535, F-14257 Parcel A, F-14249, and F-14237.

Containing approximately 2,227 acres.

T. 9 N., R. 74 W.

- Secs. 1 to 4, inclusive;
- Sec. 5, excluding Lot 1 of U.S. Survey No. 4049 (Alaska Native Claims Settlement Act Sec. 3(e) application AA-31245), Lot 2 of U.S. Survey No. 4049, and Alaska Native Claims Settlement Act Sec. 3(e) application AA-41133;
- Sec. 6, excluding Lot 1 of U.S. Survey No. 4049 (Alaska Native Claims Settlement Act Sec. 3(e) application AA-31245) and Lot 2 of U.S. Survey No. 4049;
- Sec. 7, excluding Native allotment F-14982;
- Sec. 8, excluding Native allotment F-16984;
- Secs. 9 to 14, inclusive;
- Sec. 15, excluding Native allotments F-14960 Parcel B and F-14986;
- Sec. 16, excluding Native allotments F-14986 and F-14985;
- Sec. 17, excluding Native allotments F-14959 Parcel B and F-14985;
- Sec. 18, excluding Native allotment F-17496 Parcel B;

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Interim Conveyance No. _____

MAR 15 1982

This Document has been
corrected by IC No. 1908
Dated 09/07/05

The United States of America

Corrected Interim Conveyance

F-14914-A

This document corrects Interim Conveyance No. 485, dated March 15, 1982, recorded in Book 40 beginning at page 417, Bethel 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 Nunapitchuk Limited, P.O. Box 129, Nunapitchuk, Alaska 99641, as GRANTEE, for lands in the Bethel Recording District.

WHEREAS

Nunapitchuk Limited

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 additional Native allotment parcels listed below from the lands transferred by Interim Conveyance No. 485. The parcels to be excluded have been segregated from the conveyed lands by survey.

<i>Serial No., Parcel</i>	<i>Applicant Name</i>	<i>Surveyed Description</i>
AA-50584	Julia Albrite	U.S. Survey No. 11908
AA-56432 B	Alexie A. Paul	U.S. Survey No. 10336
AA-57982	Nick Twitchell	U.S. Survey No. 10341
F-14253 B	Marie Gilman	Lot 1, U.S. Survey No. 8451
F-14960 A	Jeanie Mochin	Lot 1, U.S. Survey No. 10330
F-14961 B	Joseph Mochin Sr.	Lots 1 and 2, U.S. Survey No. 8472
F-14963 C	John N. Wassillie Sr.	Lots 4 and 5, U.S. Survey No. 8470
F-14968 C	Mary G. Mojin	Lots 1 and 2, U.S. Survey No. 10314
F-14981 D	John A. Berlin	U.S. Survey No. 12952

Interim Conveyance No. _____

1907

Page 1 of 3

F-14983 B	Evelyn Pavilla	U.S. Survey No. 10313
F-15070	Wassillie Gilman	Lot 3, U.S. Survey No. 10337
F-15937 B	Katie Albrite	Lot 5, U.S. Survey No. 12191
F-17847	Lucy Nicholas	Lot 8, U.S. Survey No. 12191
F-18215	Kalila Carli	Lot 3, U.S. Survey No. 8413

THEREFORE, Interim Conveyance No. 485 is corrected in part to read:

Seward Meridian, Alaska

T. 8 N., R. 74 W.,
 Sec. 17, excluding U.S. Survey No. 12191;
 Sec. 18, excluding U.S. Survey No. 12191;
 Sec. 19, excluding U.S. Survey No. 12191;
 Sec. 20, excluding U.S. Survey No. 12191.

T. 9 N., R. 74 W.,
 Sec. 5, excluding U.S. Survey No. 10313;
 Sec. 8, excluding U.S. Survey No. 10313;
 Sec. 9, excluding U.S. Survey No. 8451,
 U.S. Survey No. 8472, and U.S. Survey No. 10314;
 Sec. 16, excluding U.S. Survey No. 8451;
 Sec. 20, excluding U.S. Survey No. 8470;
 Sec. 21, excluding U.S. Survey No. 8470.

T. 10 N., R. 74 W.,
 Sec. 8, excluding U.S. Survey No. 10336;
 Sec. 13, excluding U.S. Survey No. 10330;
 Sec. 17, excluding U.S. Survey No. 10337;
 Sec. 19, excluding U.S. Survey No. 10341
 and U.S. Survey No. 12952;
 Sec. 20, excluding U.S. Survey No. 10337;
 Sec. 21, excluding U.S. Survey No. 10337;
 Sec. 24, excluding U.S. Survey No. 10330;
 Sec. 30, excluding U.S. Survey No. 8413.

T. 8 N., R. 75 W.,
 Sec. 13, excluding U.S. Survey No. 12191;
 Sec. 21, excluding U.S. Survey No. 11908;
 Sec. 22, excluding U.S. Survey No. 11908;

Sec. 24, excluding U.S. Survey No. 12191;
Sec. 27, excluding U.S. Survey No. 11908;
Sec. 28, excluding U.S. Survey No. 11908.

Interim Conveyance No. 485 remains in full force and effect as corrected herein.

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 7th day of September, 2005, in Anchorage, Alaska.

UNITED STATES OF AMERICA

/s/ Krissell Crandall

Krissell Crandall
Chief, Branch of Adjudication I

Return recorded document to:

Nunapitchuk Limited
P.O. Box 129
Nunapitchuk, Alaska 99641

Interim Conveyance No. 1907

Page 3 of 3

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

ADVANCE PROOF
SUBJECT TO CORRECTION
SCALE 1:24,000

BAIRD INLET (C-1) QUADRANGLE
ALASKA
1:63 360 SERIES (TOPOGRAPHIC)

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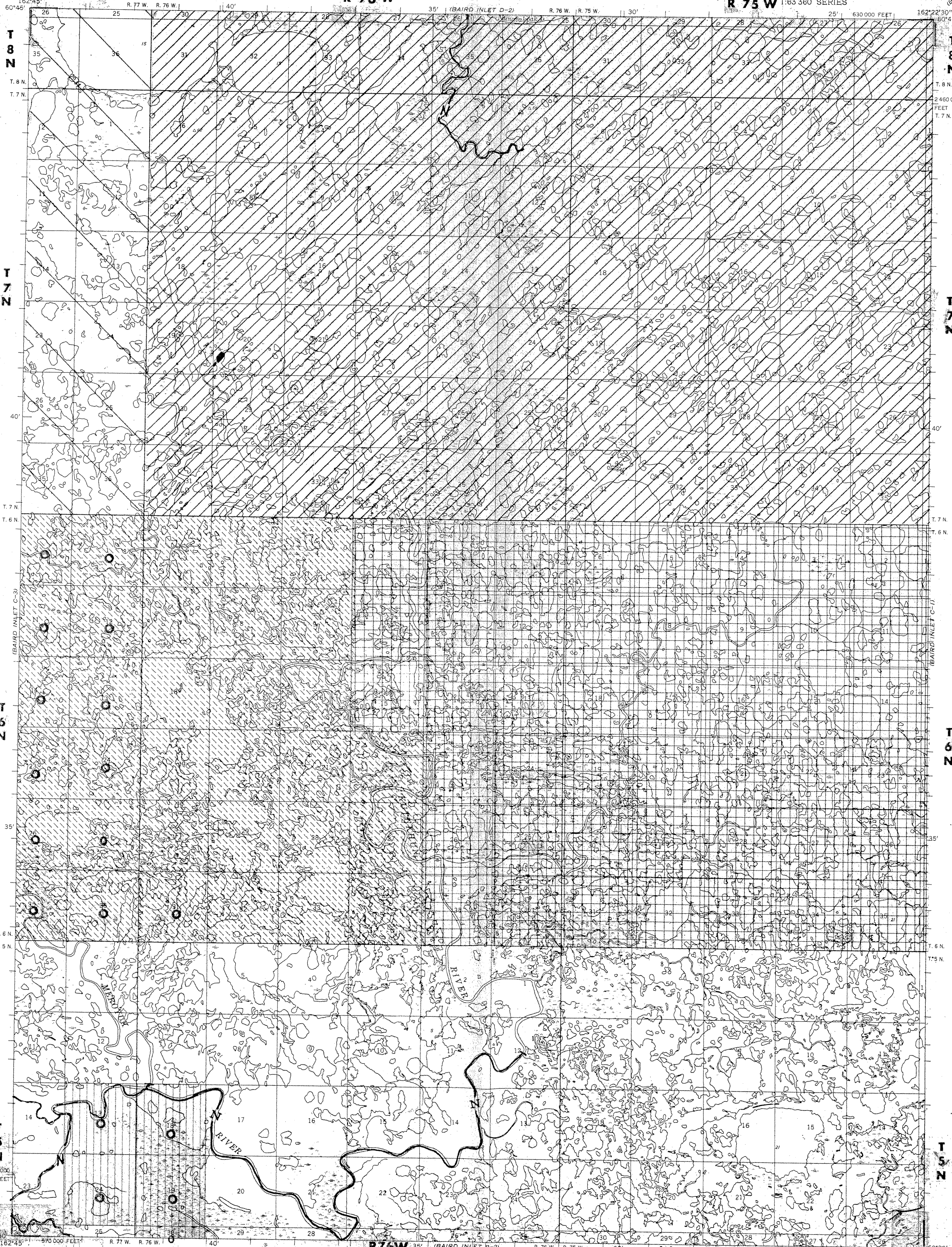
UNITED STATES
DEPARTMENT OF THE INTERIOR

BAIRD INLET (C-2) QUADRANGLE
ALASKA

R 77 W

R 76 W

R 75 W 1:63 360 SERIES



Notice	1/13	1/13	1/13	1/13
Decision	1/13	1/13	1/13	1/13
Convey	1/13	1/13	1/13	1/13

KASIGLUK VILLAGE SELECTION

NAPAKIAK VILLAGE SELECTION

NUNAPITCHUK VILLAGE SELECTION

TUNTUTULIAK VILLAGE SELECTION

CHEFORNAK VILLAGE SELECTION

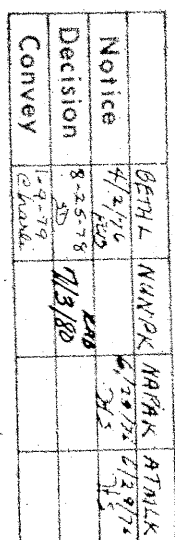
Application of Dec. 17, 1974

Represents nearest whole section.
(application may be less than 640 acres)

BAIRD INLET (C-2), ALASKA
N6030-W16222.5/15 X 22.5
Core Township 654

PCB 12/12/75
CHEFORNAK
Tuntutuliak 2/17/76

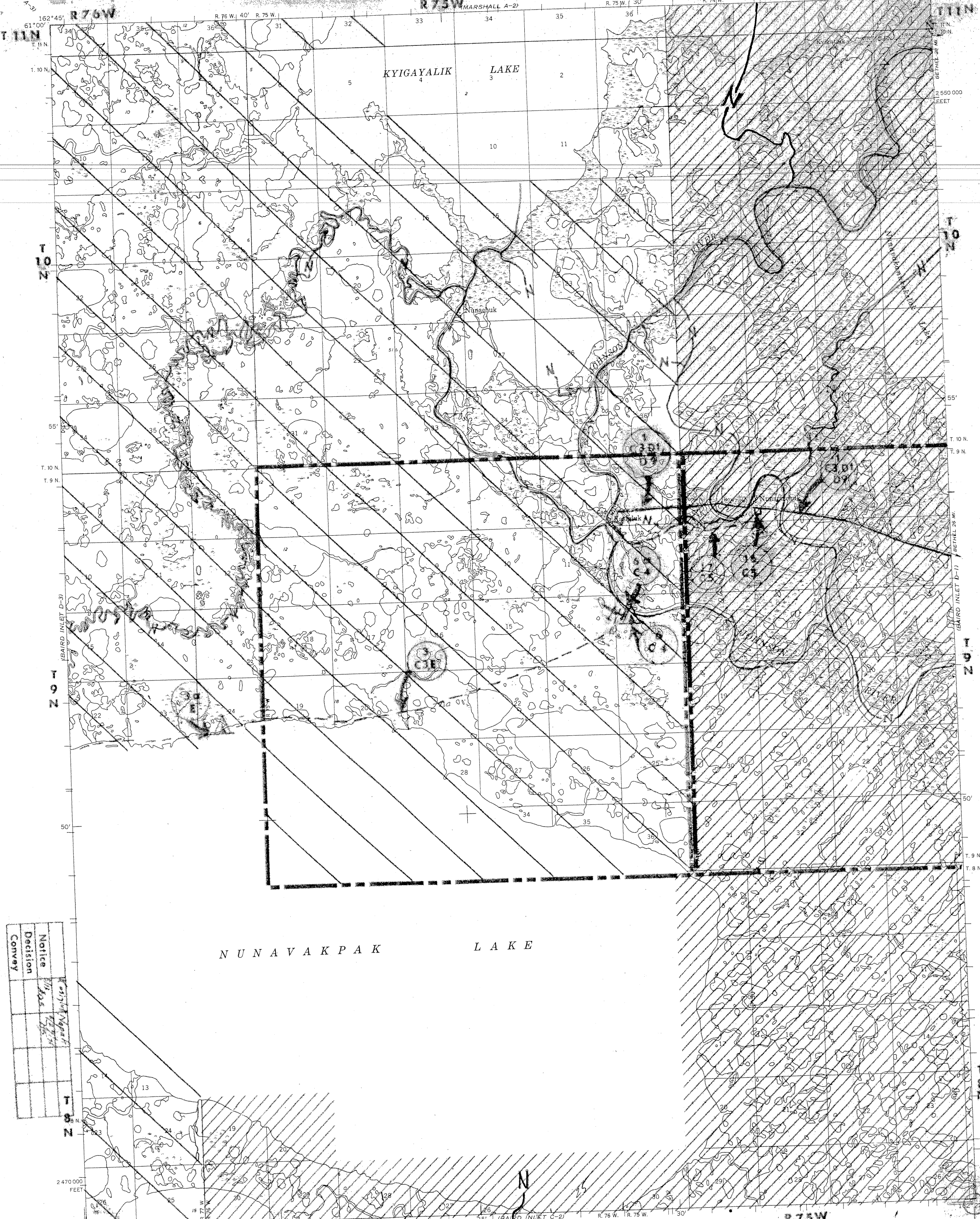
O-Over-Selections

☐

Core Township

UNITED STATES
DEPARTMENT OF THE INTERIOR

BAIRD INLET (D-2) QUADRANGLE
ALASKA
1:63,360 SERIES R74W



KASIGLUK VILLAGE SELECTION

Application of Dec 17, 1974

Represents nearest whole section
(application may be less than 640 acres)

NUNAPITCHUK VILLAGE SELECTION

Application of Dec 17, 1974

Represents nearest whole section
(application may be less than 640 acres)

BAIRD INLET (D-2), ALASKA
N6045-W16222.5/15 X 22.5
1954

ROAD CLASSIFICATION

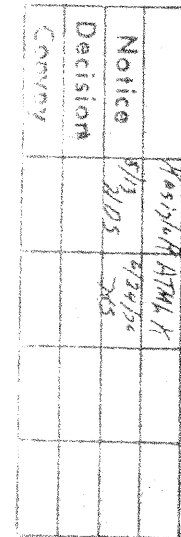
Trails

Nunapitchuk 2/17/76

5/14/80

OLM

BAIRD INLET (D-3) QUADRANGLE
ALASKA
1:63 360 SERIES **B 77 W**



ROAD CLASSIFICATION
No roads or trails in this area

Nunapitchuk 2/17/76 B.G.

BAIRD INLET (D-3), ALASKA
N6045-W16245/15 X 22.5

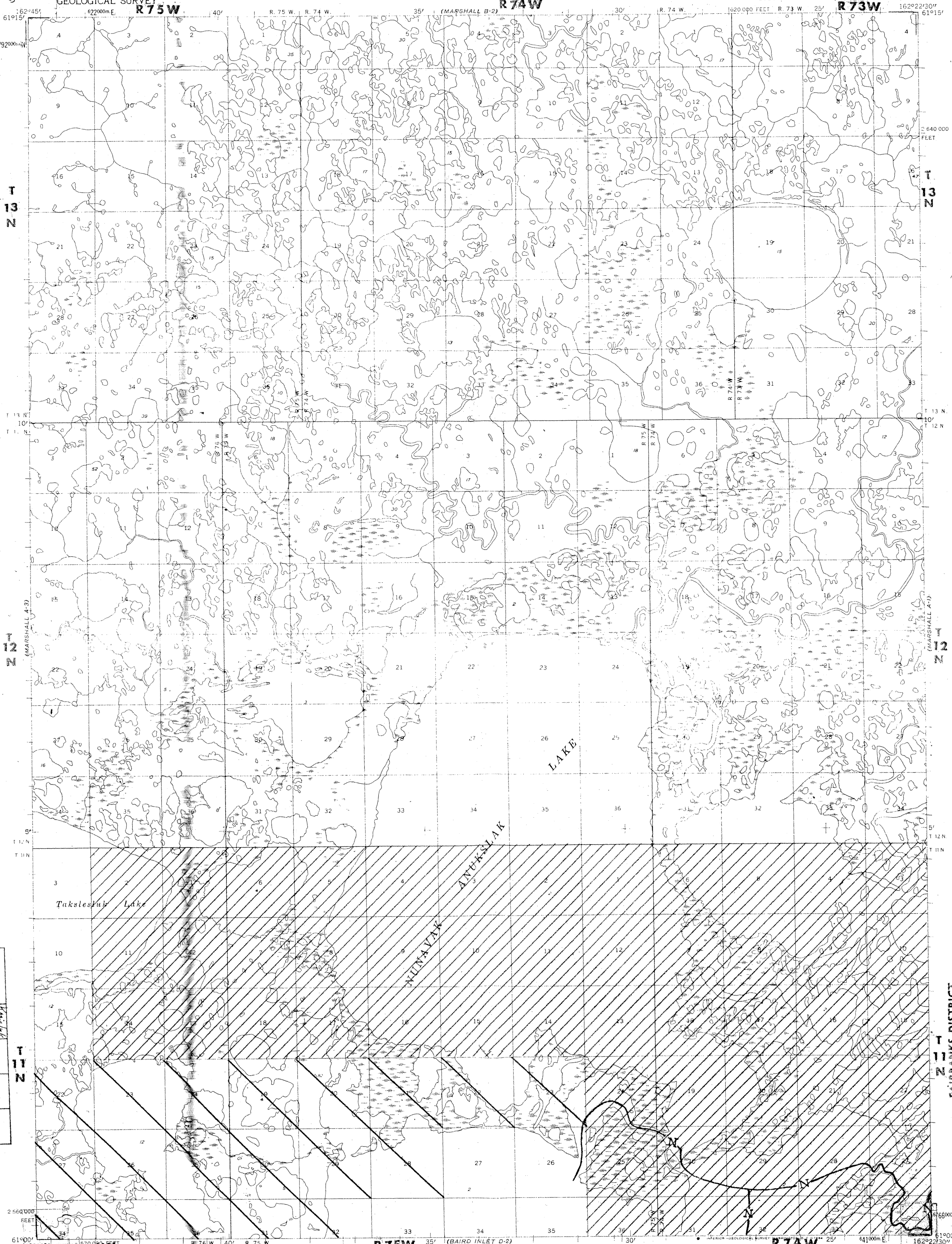
1954
5/14/80

 ATMAUTLUAK VILLAGE SELECTION
 KASIGLUK VILLAGE SELECTION
 NUNAPITCHUK VILLAGE SELECTION

Core Township

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

MARSHALL (A-2) QUADRANGLE
ALASKA
1:63 360 SERIES (TOPOGRAPHIC)



Convey	
Decision	5/13/75
Notice	5/13/75

Maped by the Army Map Service
Edited and published by the Geological Survey
Control by USGS, USO&GS, and USCE
Topography by photogrammetric methods from aerial photographs
taken 1961 and 1954; field annotated 1954. M.D. field data
Universal Transverse Mercator projection, 1927 North American datum
10,000-foot grid based on Alaska coordinate system
1000-meter Universal Transverse Mercator grid ticks
zone 3, shown in blue
Land lines represent unsurveyed and unmarked locations
pre-determined by the Bureau of Land Management
Folio S-4 Seward Meridian

KASIGLUK VILLAGE SELECTION

Application of Dec. 17, 1974

Represents nearest whole section.
(Application may be less than 640 acres)

APPROVED
DECLINATION, 1954

FOR SALE BY U.S. GEOLOGICAL SURVEY
FAIRBANKS, ALASKA DENVER 25, COLORADO WASHINGTON 25, D.C.
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

Core Township

NUNAPITCHUK VILLAGE SELECTION

Application of Dec. 17, 1974

Represents nearest whole section.
(Application may be less than 640 acres)

APPROVED
DECLINATION, 1954

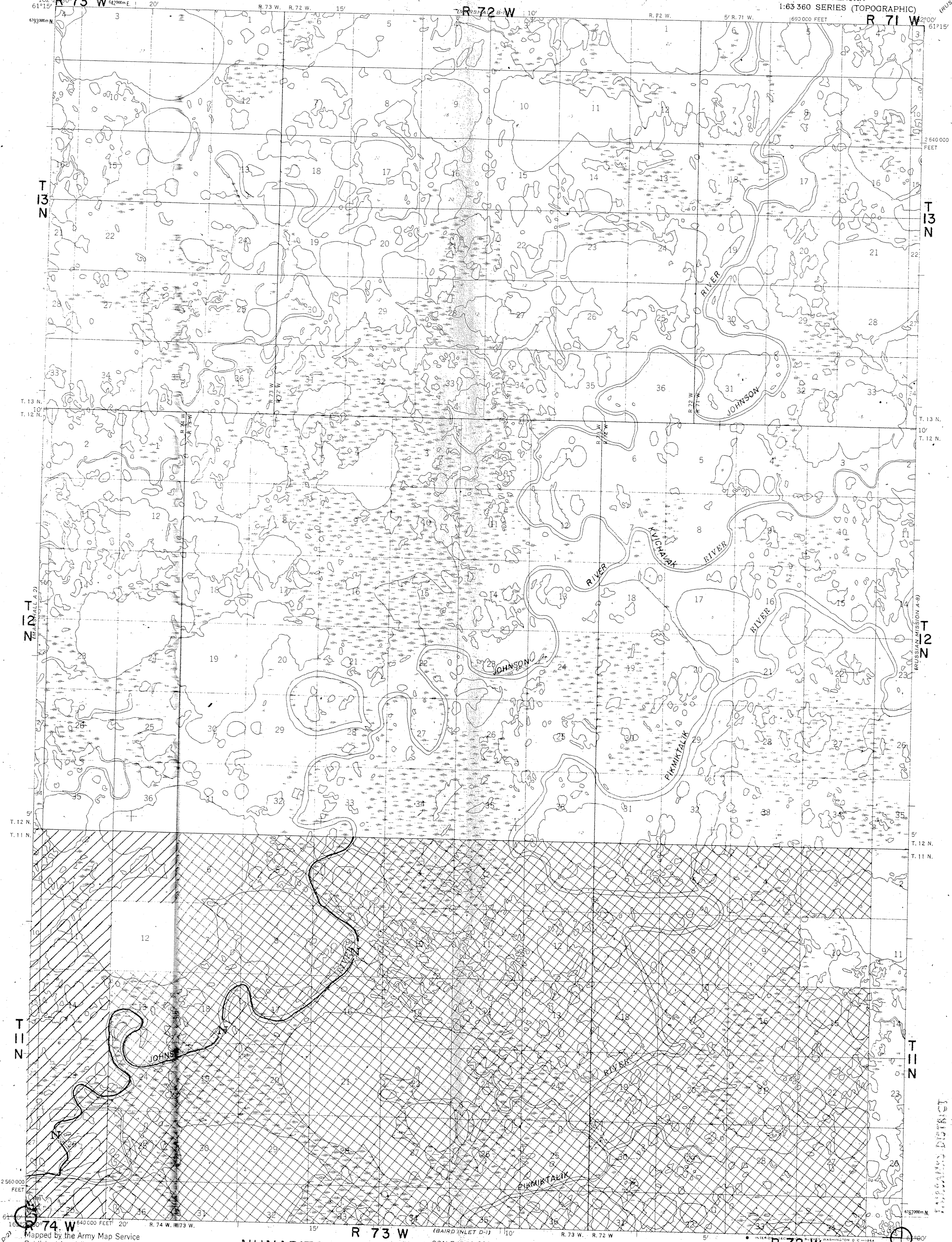
Core Township

ROAD CLASSIFICATION
No roads or trails in this area

Nunapitchuk 2/17/76 8.85

MARSHALL (A-2) ALASKA
N 6100-W 16222.5/15x22.5
1954

8/1/80



Notice	6/23/74
Decision	7/2/74
Convey	

Map by the Army Map Service
Published for civil use by the Geological Survey
Control by USC&GS
Topography by photogrammetric methods from aerial photographs taken 1951 and 1952, field annotated 1954. Map checked
Universal Transverse Mercator projection. 1927 North American datum.
10,000-foot grid based on Alaska coordinate system.
1000-meter Universal Transverse Mercator grid ticks.
Zone 3, shown in blue
Land lines represent unsurveyed and unmarked locations
Predetermined by the Bureau of Land Management
Folio S-9 Seward Meridian

NUNAPITCHUK VILLAGE SELECTION

Application of Dec. 17, 1974

Represents nearest whole section.
(application may be less than 640 acres)

ATMAUTLUAK VILLAGE SELECTION

Application of Dec. 17, 1974

Represents nearest whole section.
(application may be less than 640 acres)

FOR SALE BY U.S. GEOLOGICAL SURVEY
FAIRBANKS, ALASKA, DENVER 25, COLORADO, WASHINGTON 25, D.C.
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

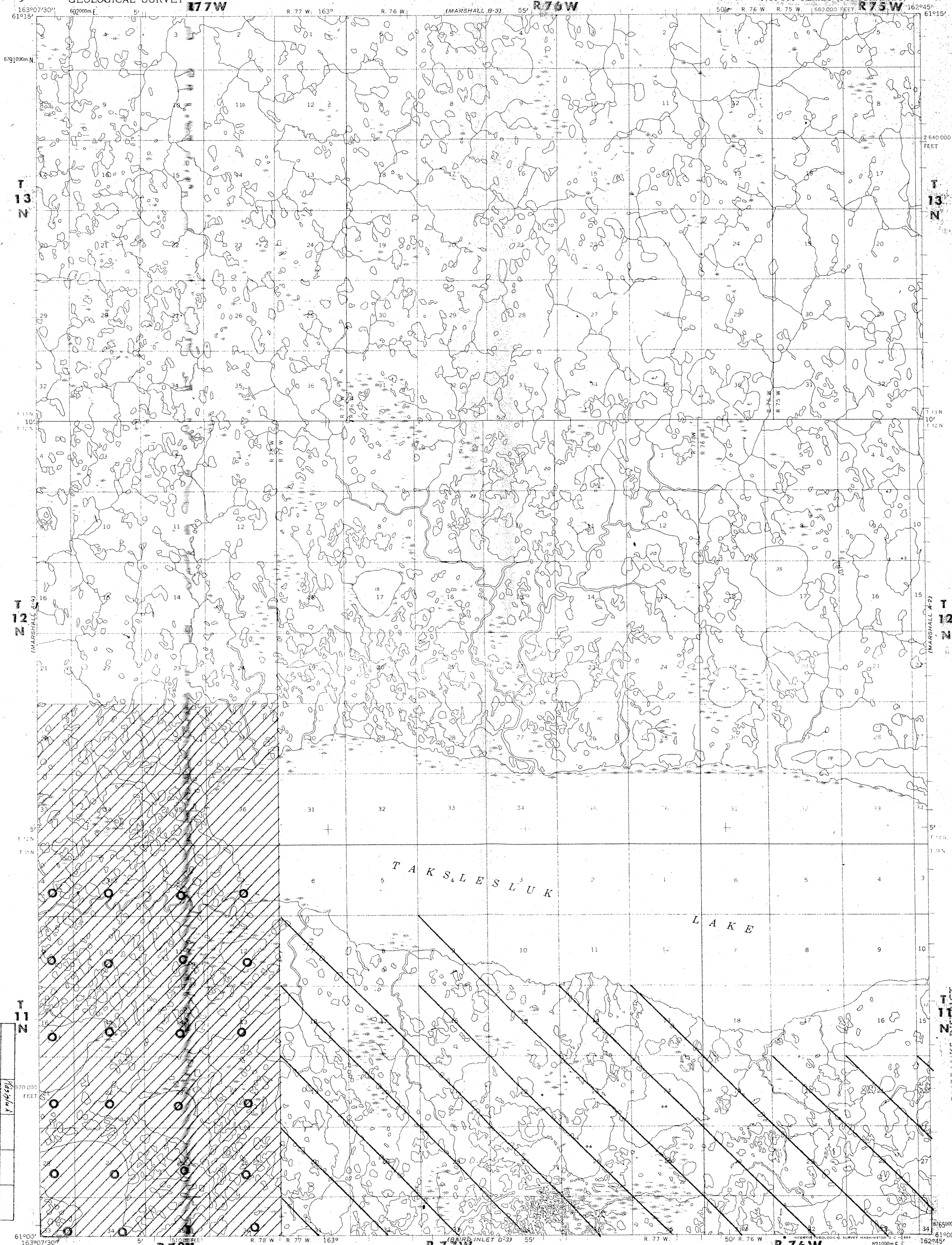
ROAD CLASSIFICATION
No roads or trails in this area
MARSHALL (A-1), ALASKA
N6100-W16200/15X22.5

Core Township

218/80

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

MARSHALL (A-3) QUADRANGLE
ALASKA
1:63 360 SERIES (TOPOGRAPHIC)



Convey	
Decision	
Notice	
Application	

Maped by the Army Map Service
Edited and published by the Geological Survey
Control by USGS, USCGS, and USCE
Topography by photogrammetric methods from aerial photographs taken 1951 and 1957; field annotated 1954.
Universal Transverse Mercator projection, 1927 North American datum, 10,000-foot grid based on Alaska coordinate system zone 7.
1000-meter Universal Transverse Mercator grid zone 3, shown in blue.
Land lines represent unsurveyed and unmarked boundaries predetermined by the Bureau of Land Management.
Folios S-9 Seward Meridian

NUNAPITCHUK VILLAGE SELECTION
Application of Dec. 17, 1974

Represents nearest whole section.
(application may be less than 640 acres)

NUNAPITCHUK VILLAGE SELECTION
Application of Dec. 17, 1974

Represents nearest whole section.
(application may be less than 640 acres)

ROAD CLASSIFICATION
No roads or trails in this area.

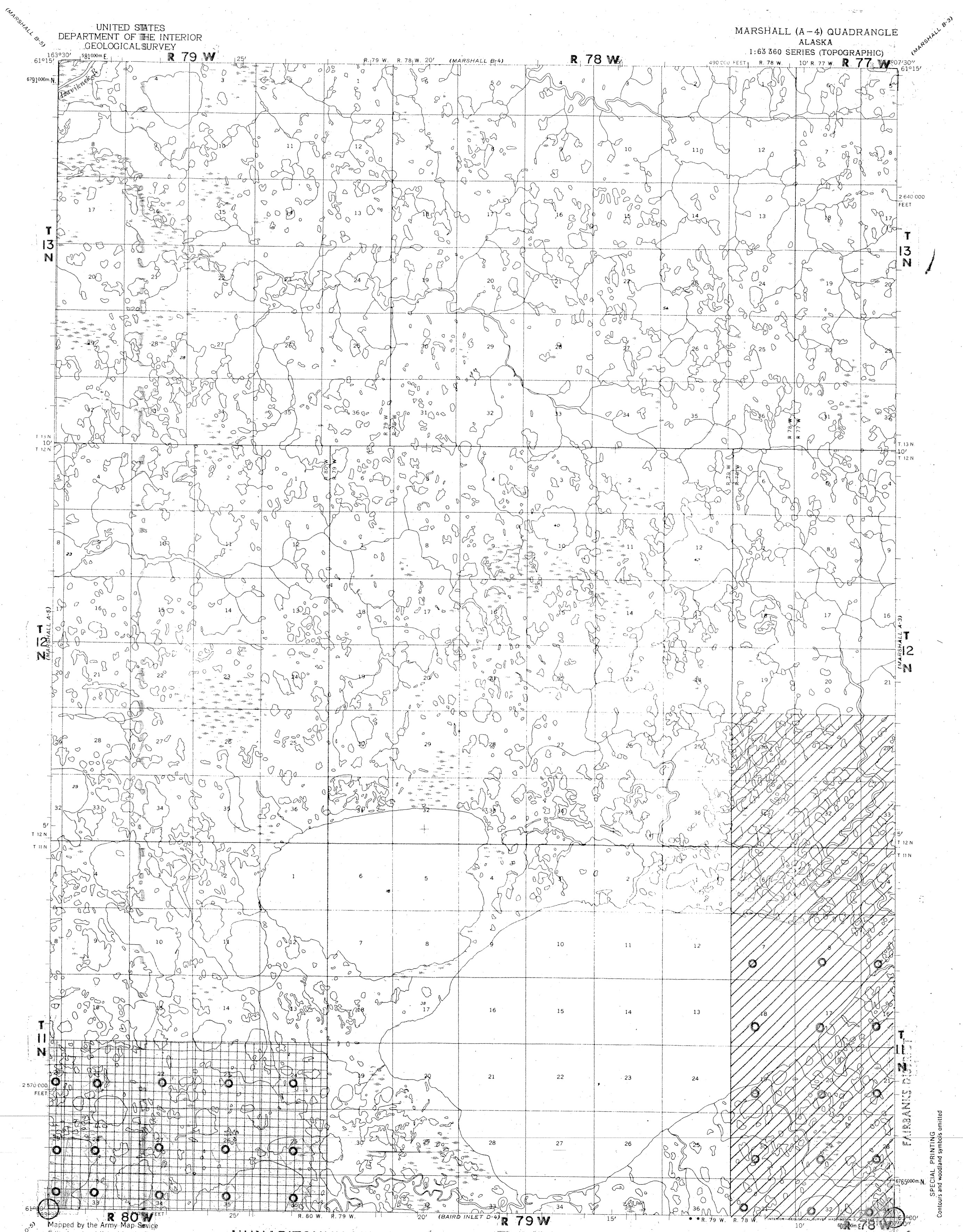
Nunapitchuk 8/17/76

MARSHALL (A-3), ALASKA
N6100-W16245/15x22.5
1954

Core Township

Core Township

5-9-79



UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

MARSHALL (A-4) QUADRANGLE
ALASKA
1:63 360 SERIES (TOPOGRAPHIC)

Maped by the Army Map Service
Edited and published by the Geological Survey
Control by USGS, USC&GS, and ASCE
Topography by photogrammetric methods from aerial photographs
taken 1951 and 1952, field annotated 1954. Map not field checked
Universal Transverse Mercator projection, 1927 North American datum
10,000-foot grid based on Alaska coordinate system, zone 7
1000-meter Universal Transverse Mercator grid ticks,
zone 3, shown in blue
Land lines represent unsurveyed and unmarked locations
predetermined by the Bureau of Land Management
Folio S-9, Seward Meridian

NUNAPITCHUK VILLAGE SELECTION
Application of Dec. 17, 1974
Represents nearest whole section.
Application may be less than 640 acres
Core Township

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

SPECIAL PRINTING
Contours and woodland symbols omitted

ROAD CLASSIFICATION
No roads or trails in this area
Nunapitchuk 2/17/76 132
MARSHALL (A-4), ALASKA
N 6100-W16307.5/15x22.5
1954 5-9-79

F-14873-A

INTERIM CONVEYANCE

WHEREAS

Kasigluk, Inc.

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

Seward Meridian, Alaska (Unsurveyed)

T. 9 N., R. 75 W.
Sec. 2, excluding Native allotment F-18252;
Sec. 3, excluding Native allotment F-17357;
Sec. 4, excluding Native allotments F-17352, F-17297, F-17355, F-17358, and F-17357;
Sec. 5, excluding Native allotment F-17355;
Secs. 6 and 7;
Sec. 8, excluding Native allotments F-17356 and F-17355;
Sec. 9, excluding Native allotments F-17355, F-17357, and F-17358;
Sec. 10, excluding Native allotments F-17247, F-17357, and F-18214;
Sec. 11, excluding Native allotments F-18252, F-17299, F-14563, F-18214, F-17353, and F-14562;
Sec. 12;
Sec. 14, excluding Native allotments F-17246, F-18881, F-14562, F-17294, and F-17298;
Secs. 15 to 22, inclusive;
Sec. 23, excluding Native allotment F-18880;
Sec. 24, excluding Native allotments F-17359, F-17292, and F-18879;
Sec. 25, excluding Native allotments F-17292 and F-17293;
Secs. 26 to 30, inclusive;
Secs. 33 to 36, inclusive.

Containing approximately 14,866 acres.

T. 10 N., R. 75 W.
Sec. 6;
Secs. 7 and 8, excluding Native allotment F-14560
Parcel B and those lands formerly within Native allotment F-18103;
Secs. 9 and 13;
Sec. 14, excluding Native allotment F-18256;
Sec. 16;
Sec. 17, excluding Native allotment F-18103 and those lands formerly within Native allotment F-18886;
Sec. 18, excluding Native allotments F-18103 and F-18886;
Sec. 19, excluding Native allotments F-18216 and F-18886;
Sec. 20, excluding Native allotments F-14174 and F-17494;
Secs. 21, 22, and 23;

Interim Conveyance No.

595

Date

DEC 27 1982

F-14873-A

Secs. 24 and 25, excluding Native allotments
F-18213 and F-18215;
Secs. 26 and 27;
Sec. 28, excluding Native allotments F-17435,
F-17351, and F-14980 Parcel C;
Sec. 29, excluding Native allotments F-17435
and F-17351;
Secs. 30 and 31;
Sec. 32, excluding Native allotments F-17349,
F-17493, and F-16877;
Sec. 33, excluding Native allotments F-17350
and F-18217;
Secs. 34 and 35;
Sec. 36, excluding Native allotment F-14516.

Containing approximately 9,495 acres.

T. 9 N., R. 76 W.

Sec. 1, excluding Native allotments F-18260
and F-17354;
Sec. 2, excluding Native allotment F-18259;
Secs. 3 to 12, inclusive;
Sec. 13, excluding Native allotment F-17296;
Secs. 14 and 15;
Sec. 16, excluding Native allotment F-18255;
Secs. 17, 18, and 19;
Sec. 20, excluding Native allotment F-14561;
Sec. 21, excluding Native allotments F-18255
and F-14561;
Sec. 22, excluding Native allotment F-17534;
Secs. 23 to 27, inclusive;
Sec. 28, excluding Native allotments F-14560
Parcel A, F-14561, and F-18258;
Sec. 29, excluding Native allotment F-14561;
Secs. 30 to 33, inclusive.

Containing approximately 17,943 acres.

T. 10 N., R. 76 W.

Sec. 1, excluding Native allotment F-14981
Parcel A;
Sec. 2;
Secs. 3 and 4, excluding Native allotment
F-18257;
Secs. 5 to 23, inclusive;
Sec. 24, excluding Native allotment F-18216;
Sec. 25, excluding Native allotment F-15827
Parcel A;
Secs. 26 to 36, inclusive.

Containing approximately 22,577 acres.

T. 8 N., R. 77 W.

Secs. 3 to 7, inclusive;
Sec. 8, excluding Native allotment F-14564
Parcel A;
Secs. 9, 10, 11, and 13;
Sec. 14, excluding Native allotment F-14981
Parcel B;

Interim Conveyance No.

595

Date

DEC 27 1982

F-14873-A

Secs. 15 and 16;
Sec. 17, excluding Native allotments F-14981
Parcel C and F-14564 Parcel A;
Secs. 18 to 22, inclusive;
Sec. 23, excluding Native allotment F-14981
Parcel B;
Secs. 24 to 34, inclusive.

Containing approximately 17,150 acres.

T. 9 N., R. 77 W.
Secs. 1, 2, and 3;
Secs. 10 to 15, inclusive;
Secs. 22 to 27, inclusive;
Secs. 34, 35, and 36.

Containing approximately 11,520 acres.

T. 10 N., R. 77 W.
Secs. 1 and 2;
Secs. 11 to 15, inclusive;
Sec. 22;
Sec. 23, excluding Native allotment F-15070;
Secs. 24 and 25;
Secs. 26 and 27, excluding Native allotment
F-15070;
Secs. 34, 35, and 36.

Containing approximately 10,150 acres.

Aggregating approximately 103,701 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-14873-ER.

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 herein, 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

Interim Conveyance No. 595

Date DEC 27 1982

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-14873-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 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, dogsled, animals, snowmobiles, two- and three-wheel vehicles, and small all-terrain vehicles (less than 3,000 lbs. Gross Vehicle Weight (GVW)).

60 Foot Road - The uses allowed on a sixty (60) foot wide road easement are: travel by foot, dogsled, animals, snowmobiles, two- and three-wheel vehicles, four-wheel drive vehicles, automobiles, and trucks.

- a. (EIN 1 C3, D1, D9) An easement for an existing access trail, twenty-five (25) feet in width, from the left bank of the Johnson River in Sec. 2, T. 9 N., R. 75 W., Seward Meridian, through the village of Kasigluk easterly to Bethel. The uses allowed are those above for a twenty-five (25) foot wide trail easement. The season of use will be limited to winter.
- b. (EIN 3 C3, E) An easement for a proposed access trail, twenty-five (25) feet in width, from the south end of the Kasigluk airport, in Sec. 14, T. 9 N., R. 75 W., Seward Meridian, southwesterly to public land. 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 6a C4) An easement, twenty-six (26) feet in width, for an existing road in Secs. 13 and 14, T. 9 N., R. 75 W., Seward Meridian, from the Kasigluk airstrip northeasterly to the Johnson River. The uses allowed are those listed above for a sixty (60) foot wide road easement.
- d. (EIN 17 C5) An easement, twenty (20) feet in width, for the existing powerline from the village of Kasigluk in Sec. 1, T. 9 N., R. 75 W., Seward Meridian, easterly to the power plant at the village of Nunapitchuk. The uses are those associated with the construction, operation and maintenance of the powerline.

595

Interim Conveyance No. _____

Date _____ DEC 27 1982

F-14873-A

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 (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 (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;
3. Airport lease, F-15928, located in Secs. 11 and 14, T. 9 N., R. 75 W., Seward Meridian, issued to the State of Alaska, Department of Transportation and Public Facilities, under the provisions of the act of May 24, 1928 (49 U.S.C. 211-214); and
4. 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 grantees 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 December, 1982, in Anchorage, Alaska.

UNITED STATES OF AMERICA

William D. Arnold

Assistant to the State Director
for Conveyance Management

Interim Conveyance No. _____

595

Date _____

DEC 27 1982

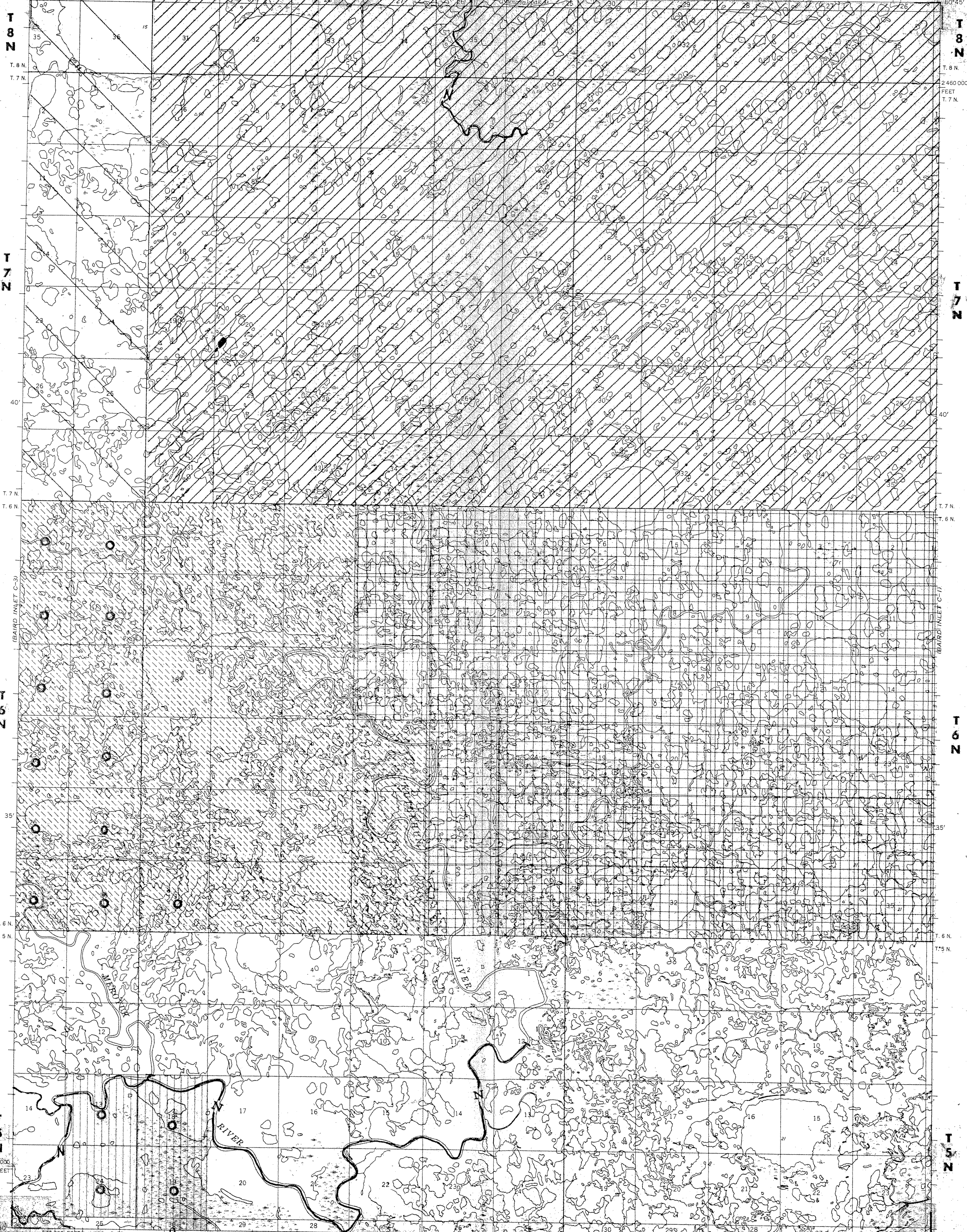
UNITED STATES
DEPARTMENT OF THE INTERIOR

BAIRD INLET (C-2) QUADRANGLE
ALASKA

R 77 W

R 76 W

R 75 W 1:63 360 SERIES



Notice	1/13	1/13	1/13	1/13
Decision	1/13	1/13	1/13	1/13
Convey	1/13	1/13	1/13	1/13

- KASIGLUK VILLAGE SELECTION
- NAPAKIAK VILLAGE SELECTION
- NUNAPITCHUK VILLAGE SELECTION
- TUNTUTULIAK VILLAGE SELECTION

CHEFORNAK VILLAGE SELECTION
Application of Dec. 17, 1974

Represents nearest whole section.
(application may be less than 640 acres)

BAIRD INLET (C-2), ALASKA
N6030-W16222.5/15 X 22.5
Core Township 654

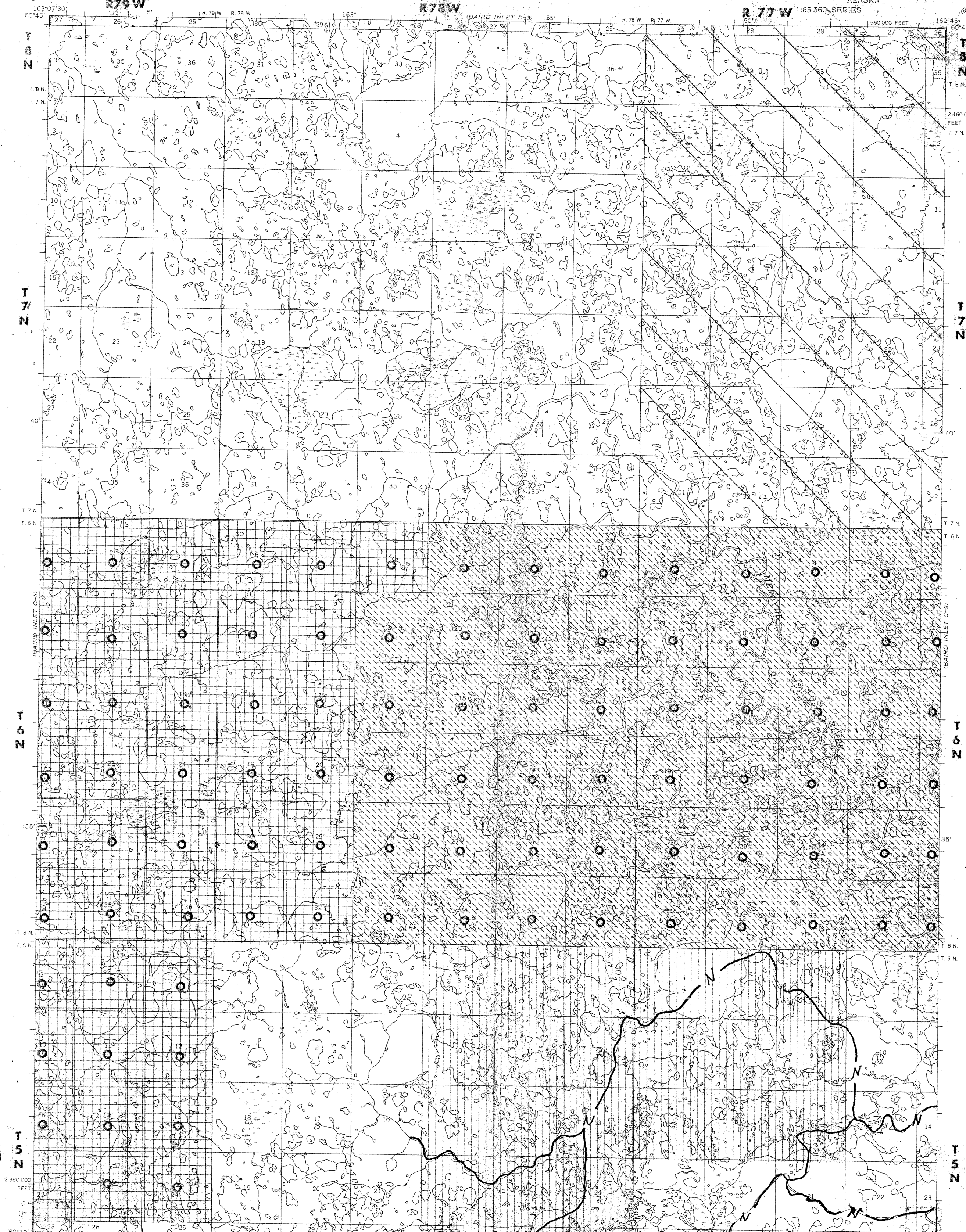
5-13-80

PCB 12/12/75
CHEFORNAK
Tuntutuliak 2/17/70

O-Over-Selections

UNITED STATES
DEPARTMENT OF THE INTERIOR

BAIRD INLET (C-3) QUADRANGLE
ALASKA
1:63 360 SERIES



Notice	1/1/80	1/1/80
Decision		
Convey		

KASIGLUK VILLAGE SELECTION

NAPAKIAK VILLAGE SELECTION

TUNTUTULIAK VILLAGE SELECTION

CHEFORNAK VILLAGE SELECTION
Application of Dec. 17, 1974

Represents nearest whole section.
(application may be less than 640 acres)

BAIRD INLET (C-3), ALASKA
N6030-W16245/15 X 22.5

Core Township 94

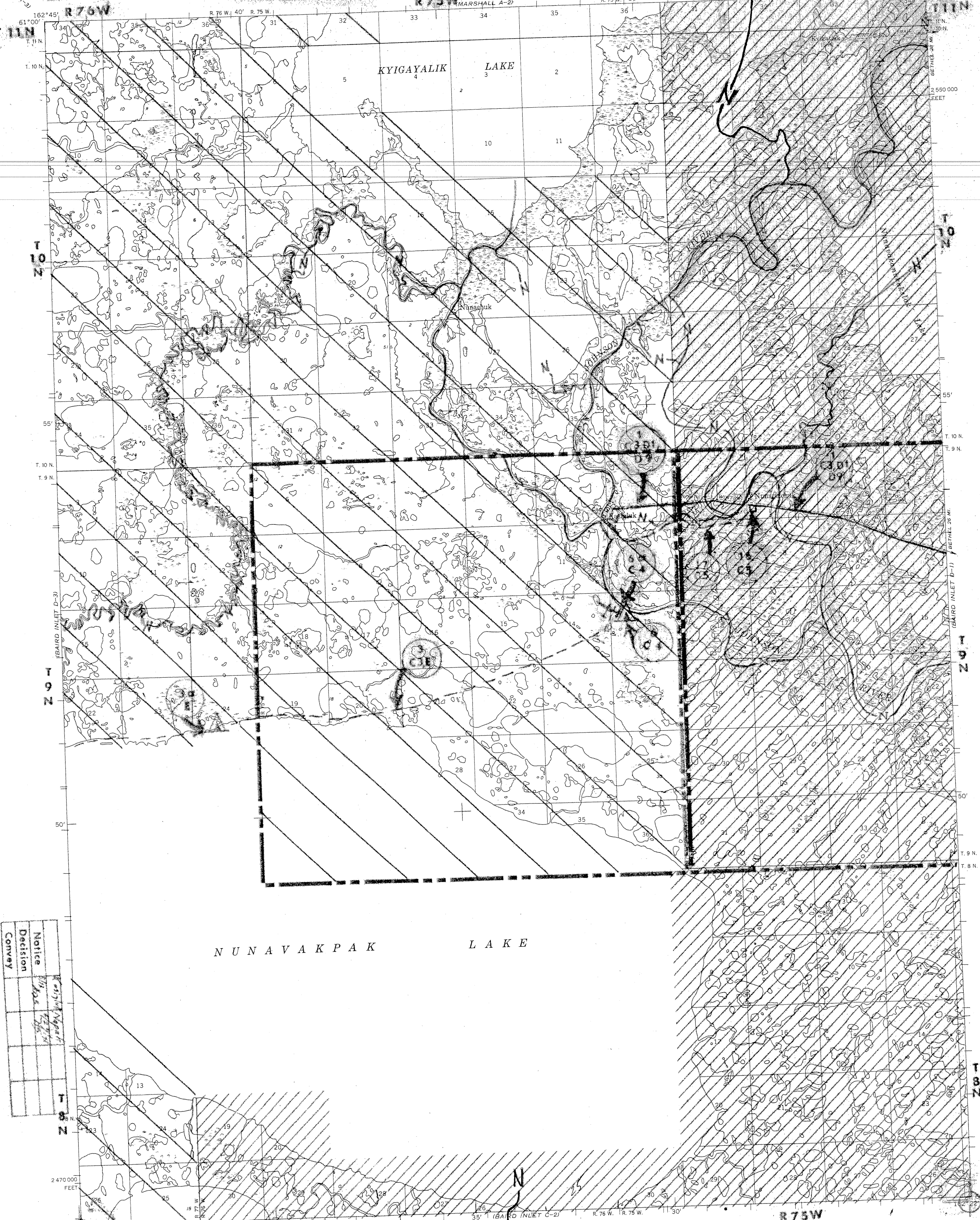
O-Over-Selections

PCB
12/12/75
CHEFORNAK

5-12/80

UNITED STATES
DEPARTMENT OF THE INTERIOR

BAIRD INLET (D-2) QUADRANGLE
ALASKA
1:63,360 SERIES R74W



Notice	Decision	Convey
1/17/74	1/17/74	1/17/74

KASIGLUK VILLAGE SELECTION

Application of Dec. 17, 1974

Represents nearest whole section
(application may be less than 640 acres)

NUNAPITCHUK VILLAGE SELECTION

Application of Dec. 17, 1974

Represents nearest whole section
(application may be less than 640 acres)

BAIRD INLET (D-2), ALASKA
N6045-W16222.5/15 X 22.5
1954

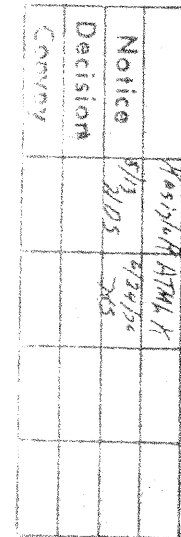
ROAD CLASSIFICATION

Trails
Nunapitchuk 2/17/76

5/14/80

OLM

BAIRD INLET (D-3) QUADRANGLE
ALASKA
1:63 360 SERIES **P 77 W**



	ATMAUTLUAK VILLAGE SELECTION	
	KASIGLUK VILLAGE SELECTION	BAL
	NUNAPITCHUK VILLAGE SELECTION	

ROAD CLASSIFICATION
No roads or trails in this area

BAIRD INLET (D-3), ALASKA
N6045-W16245/15 X 22.5

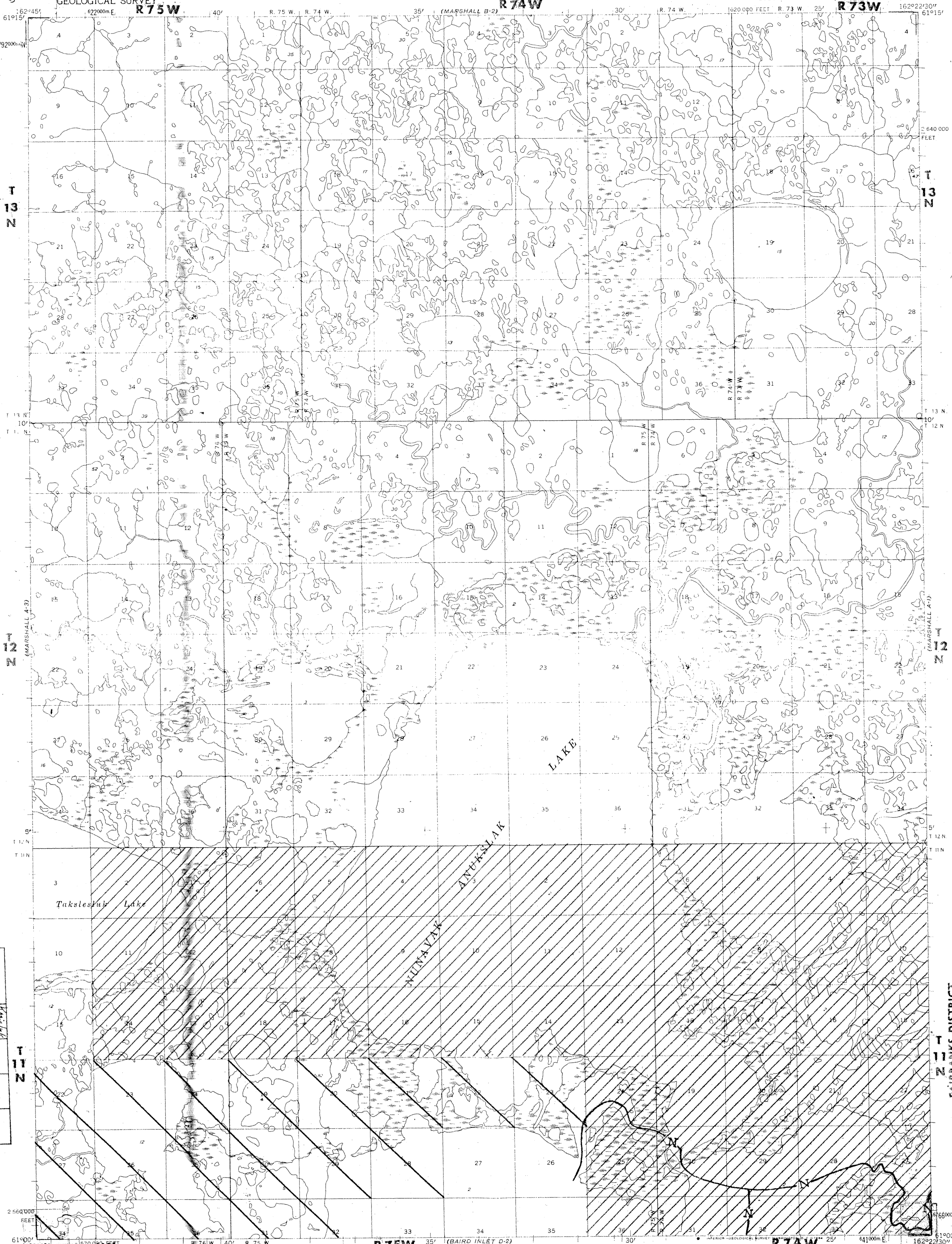
1954
5/14/80

Nunapitchuk 2/17/76 B.G.

Core Township

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

MARSHALL (A-2) QUADRANGLE
ALASKA
1:63 360 SERIES (TOPOGRAPHIC)



Convey	
Decision	5/13/75
Notice	5/13/75

Maped by the Army Map Service
Edited and published by the Geological Survey
Control by USGS, USO&GS, and USCE
Topography by photogrammetric methods from aerial photographs
taken 1961 and 1954; field annotated 1954. M.D. field data
Universal Transverse Mercator projection, 1927 North American datum
10,000-foot grid based on Alaska coordinate system
1000-meter Universal Transverse Mercator grid ticks
zone 3, shown in blue
Land lines represent unsurveyed and unmarked locations
pre-determined by the Bureau of Land Management
Folio S-4 Seward Meridian

KASIGLUK VILLAGE SELECTION

Application of Dec. 17, 1974

Represents nearest whole section.
(Application may be less than 640 acres)

APPROVED
DECLINATION, 1954

FOR SALE BY U.S. GEOLOGICAL SURVEY
FAIRBANKS, ALASKA DENVER 25, COLORADO WASHINGTON 25, D.C.
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

Core Township

NUNAPITCHUK VILLAGE SELECTION

Application of Dec. 17, 1974

Represents nearest whole section.
(Application may be less than 640 acres)

APPROVED
DECLINATION, 1954

Core Township

ROAD CLASSIFICATION
No roads or trails in this area

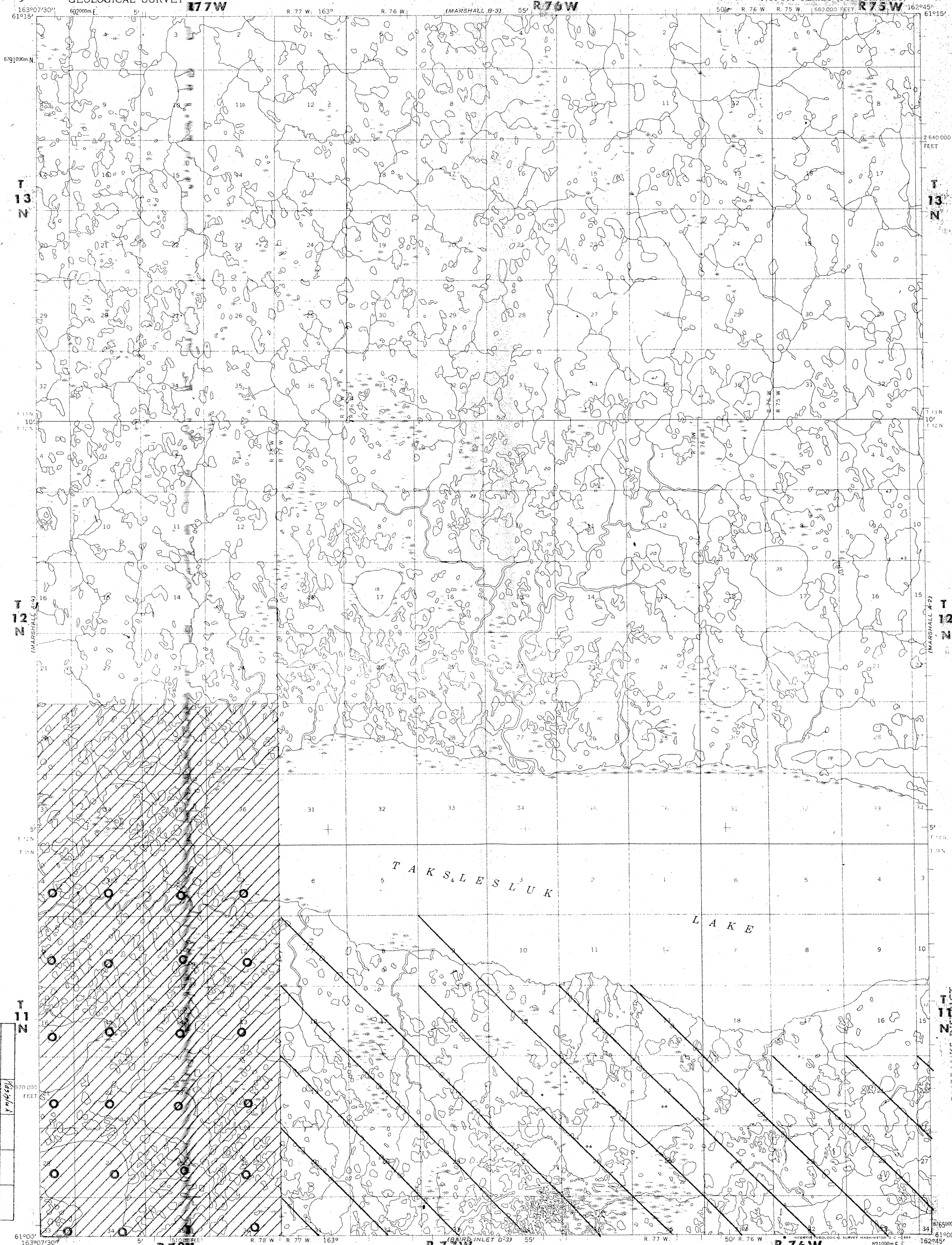
Nunapitchuk 2/17/76 8.85

MARSHALL (A-2) ALASKA
N 6100-W 16222.5/15x22.5
1954

8/1/80

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

MARSHALL (A-3) QUADRANGLE
ALASKA
1:63 360 SERIES (TOPOGRAPHIC)



Convey	
Decision	
Notice	
Application	

Maped by the Army Map Service
Edited and published by the Geological Survey
Control by USGS, USCGS, and USCE
Topography by photogrammetric methods from aerial photographs taken 1951 and 1957; field annotated 1954.
Universal Transverse Mercator projection, 1927 North American datum, 10,000-foot grid based on Alaska coordinate system zone 7.
1000-meter Universal Transverse Mercator grid zone 3, shown in blue.
Land lines represent unsurveyed and unmarked boundaries predetermined by the Bureau of Land Management.
Folios S-9 Seward Meridian

NUNAPITCHUK VILLAGE SELECTION

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

NUNAPITCHUK VILLAGE SELECTION

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

FOR SALE BY U.S. GEOLOGICAL SURVEY
FAIRBANKS, ALASKA DENVER 25, COLORADO WASHINGTON 25, D.C.
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST
Core Township

ROAD CLASSIFICATION

No roads or trails in this area.

Nunapitchuk 8/17/76

MARSHALL (A-3), ALASKA

N6100-W16245/15x22.5

1954

5-9-79

(Takslesluk/Kayigyalik Lakes
Attachment 17

Dr 5-3-89
WMBrown 5/3/89
KADWETTER
5/7/89

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 [Atmaultluak, 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 (962), 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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Kasigluk, Inc.
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Akiachak, Limited
Samuel George
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Kokarmuit Corporation
Akiak, Alaska 99552

Tulkisarmute Inc.
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Bethel Native Corporation
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Kwethluk, Inc.
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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. Anabranch 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 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., 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 S $\frac{1}{4}$ 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 E $\frac{1}{4}$ 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 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. (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 NW $\frac{1}{4}$ 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 NW $\frac{1}{4}$ Sec. 22, T. 11 N., R. 68 W., SM. (Flight 4, roll 1, frame 24, 1987) (Bethel D-6)

Start with
 UNNAMED Sloughs
 of
 Shams

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 NW¼SE¼ 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 S $\frac{1}{4}$ 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 E $\frac{1}{4}$ 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 E $\frac{1}{4}$ W $\frac{1}{4}$ 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 E $\frac{1}{4}$ 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 $\frac{1}{4}$ 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).

Takslesluk/Kayigyalik Lakes
Attachment 18

F-14914-A (2651)
Re: Nunapitchuk
(963)

Approval to Modify Navigability Determination on IC'd Lands

In order to allow survey plat preparation according to the BLM Manual of Surveying Instructions (1973) Sections 3-115 to 123; and to finally identify a legal description and acreage chargeability to be used in the patent document issued to Calista Corporation, the authorized office of said corporation hereby agrees on behalf of the corporation that:

1. Said Corporation agrees to allow the Bureau of Land Management to make a new administrative determination of navigability on those lands conveyed under IC 486 for the purpose of determining the acreage chargeable toward land entitlement.
2. Said corporation agrees that navigability determinations made as a result of this approval are intended to control over all prior determinations as to navigability.
3. Said corporation understands that all streams three chains wide or wider and all lakes fifty acres in size or larger will be meandered regardless of navigability and the BLM is not required to determine the navigability of these larger water bodies.

7/25/90
Date

George J. Andrew Sr.
Signature of Corporate Official
Vice Chairman
Title

STATE OF ALASKA)
) ss.
____ JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on the 25TH day of July, 1990, appeared before me George J. Andrew who is known to me and who stated he/she is acting on behalf of Nup. Limited and that he/she executed the foregoing pursuant to lawful authority for the purposes stated therein.



George J. Andrew
Notary Public or Postmaster
in and for the State of Alaska.
My Commission Expires: _____

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 (43 U.S.C. 1601, 1613(f) and 1621(j)), as amended, of the sub-surface estate reserved to the United States in the hereinbelow identified interim conveyance of the surface estate in the following described lands:

485

Interim Conveyance No. _____

Seward Meridian, Alaska (Unsurveyed)T. 8 N., R. 74 W.

- Sec. 5, excluding Native allotments F-14967 and F-17334 Parcel B;
- Sec. 6, excluding Native allotments F-15944 and F-17949;
- Sec. 7, excluding Native allotments F-18062 Parcel A and F-14168;
- Sec. 8, excluding Native allotments F-17815 Parcels A and B, F-14517 Parcel A, F-18320 Parcel B, F-15578, F-17334 Parcel B, and F-14168;
- Sec. 17, excluding Native allotments F-18320 Parcel B, F-15943, F-14237, F-15757 Parcel B, F-14249, and F-14168;
- Sec. 18, excluding Native allotments F-17708, F-18062 Parcel A, and F-14168;
- Sec. 19, excluding Native allotment F-17708;
- Sec. 20, excluding Native allotments F-15757 Parcel B, F-17535, F-14257 Parcel A, F-14249, and F-14237.

Containing approximately 2,227 acres.

T. 9 N., R. 74 W.

- Secs. 1 to 4, inclusive;
- Sec. 5, excluding Lot 1 of U.S. Survey No. 4049 (Alaska Native Claims Settlement Act Sec. 3(e) application AA-31245), Lot 2 of U.S. Survey No. 4049, and Alaska Native Claims Settlement Act Sec. 3(e) application AA-41133;
- Sec. 6, excluding Lot 1 of U.S. Survey No. 4049 (Alaska Native Claims Settlement Act Sec. 3(e) application AA-31245) and Lot 2 of U.S. Survey No. 4049;
- Sec. 7, excluding Native allotment F-14982;
- Sec. 8, excluding Native allotment F-16984;
- Secs. 9 to 14, inclusive;
- Sec. 15, excluding Native allotments F-14960 Parcel B and F-14986;
- Sec. 16, excluding Native allotments F-14986 and F-14985;
- Sec. 17, excluding Native allotments F-14959 Parcel B and F-14985;
- Sec. 18, excluding Native allotment F-17496 Parcel B;

486

Interim Conveyance No. _____

Date MAR 15 1982

This Document has been
corrected by IC No. 1908
Dated 09/07/05

Sec. 19;
Sec. 20, excluding Native allotments F-14964
Parcel A and F-14962 Parcel C;
Sec. 21, excluding Native allotments F-14964
Parcel A, F-14962 Parcel C, and F-14983;
Sec. 22, excluding Native allotment F-14960
Parcel B;
Secs. 23 to 26, inclusive;
Sec. 27, excluding Native allotment F-18264;
Sec. 28, excluding Native allotments F-18264 and
F-16723 Parcel A;
Secs. 29 to 33, inclusive;
Sec. 34, excluding Native allotments F-17533 and
F-14979 Parcel B;
Sec. 35, excluding Native allotments F-17533,
F-14979 Parcel B, and F-18861;
Sec. 36, excluding Native allotment F-18861.

Containing approximately 18,424 acres.

T. 10 N., R. 74 W.

Secs. 3 and 4, excluding Native allotment F-14518;
Secs. 5 to 15, inclusive;
Sec. 16, excluding Native allotment F-14964
Parcel B;
Secs. 17, 18, and 19, excluding Native allotment
F-14565 Parcel B;
Sec. 20, excluding Native allotment F-14565
Parcels A and B;
Secs. 21 to 28, inclusive;
Sec. 29, excluding Native allotments F-14565
Parcel A and F-14961 Parcel C;
Sec. 30;
Sec. 31, excluding Native allotment F-14516;
Sec. 32;
Sec. 33, excluding Native allotments F-14963
Parcel B, and F-14962 Parcel B;
Secs. 34, 35 and 36.

Containing approximately 10,416 acres.

T. 7 N., R. 75 W.

Secs. 1 to 36, inclusive.

Containing approximately 22,886 acres.

T. 8 N., R. 75 W.

Sec. 1, excluding Native allotments F-15936
and F-17949;
Sec. 2, excluding Native allotment F-14966;
Secs. 3, 4, and 5;
Secs. 8 to 17, inclusive;
Secs. 20 to 36, inclusive.

Containing approximately 18,343 acres.

T. 7 N., R. 76 W.

Secs. 1 to 10 inclusive;

Sec. 11, excluding Native allotment F-13308;

Secs. 12 to 27, inclusive.

Containing approximately 16,855 acres.

T. 8 N., R. 76 W.

Secs. 19 and 20;

Secs. 25 to 36, inclusive.

Containing approximately 4,923 acres.

Aggregating approximately 94,074 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-14914-EE.

Also excluded from the above-described lands herein conveyed are lands covered by tidal waters up to the line of mean high tide. The actual limits of tidal influence for those water bodies, if any, will be determined at the time of survey.

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

THE GRANT OF THE ABOVE-DESCRIBED LANDS IS SUBJECT TO all the easements and rights-of-way reserved in the aforementioned conveyance of the surface estate and to valid existing rights, if any, in the said subsurface estate, including but not limited to those created by any lease (including a lease issued under Sec. 6(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.

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 15th day of March, 1982, in Anchorage, Alaska.

UNITED STATES OF AMERICA

William D. Arnold

Assistant to the State Director
for Conveyance Management

Interim Conveyance No. 486

Date MAR 15 1982

This Document has been
corrected by IC No. 1908
Dated 09/07/05

The United States of America

Corrected Interim Conveyance

F-14914-A

This document corrects Interim Conveyance No. 486, dated March 15, 1982, recorded in Book 31 beginning at page 461, Bethel 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, Attn: Land Department, 301 Calista Court, Suite A, Anchorage, Alaska 99518-3028, as GRANTEE, for lands in the Bethel Recording District.

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 additional Native allotment parcels listed below from the lands transferred by Interim Conveyance No. 486. The parcels to be excluded have been segregated from the conveyed lands by survey.

<i>Serial No., Parcel</i>	<i>Applicant Name</i>	<i>Surveyed Description</i>
AA-50584	Julia Albrite	U.S. Survey No. 11908
AA-56432 B	Alexie A. Paul	U.S. Survey No. 10336
AA-57982	Nick Twitchell	U.S. Survey No. 10341
F-14253 B	Marie Gilman	Lot 1, U.S. Survey No. 8451
F-14960 A	Jeanie Mochin	Lot 1, U.S. Survey No. 10330
F-14961 B	Joseph Mochin Sr.	Lots 1 and 2, U.S. Survey No. 8472
F-14963 C	John N. Wassillie Sr.	Lots 4 and 5, U.S. Survey No. 8470
F-14968 C	Mary G. Mojin	Lots 1 and 2, U.S. Survey No. 10314
F-14981 D	John A. Berlin	U.S. Survey No. 12952

1908

Interim Conveyance No. _____

Page 1 of 3

F-14983 B	Evelyn Pavilla	U.S. Survey No. 10313
F-15070	Wassillie Gilman	Lot 3, U.S. Survey No. 10337
F-15937 B	Katie Albrite	Lot 5, U.S. Survey No. 12191
F-17847	Lucy Nicholas	Lot 8, U.S. Survey No. 12191
F-18215	Kalila Carli	Lot 3, U.S. Survey No. 8413

THEREFORE, Interim Conveyance No. 486 is corrected in part to read:

Seward Meridian, Alaska

T. 8 N., R. 74 W.,

Sec. 17, excluding U.S. Survey No. 12191;
 Sec. 18, excluding U.S. Survey No. 12191;
 Sec. 19, excluding U.S. Survey No. 12191;
 Sec. 20, excluding U.S. Survey No. 12191.

T. 9 N., R. 74 W.,

Sec. 5, excluding U.S. Survey No. 10313;
 Sec. 8, excluding U.S. Survey No. 10313;
 Sec. 9, excluding U.S. Survey No. 8451,
 U.S. Survey No. 8472, and U.S. Survey No. 10314;
 Sec. 16, excluding U.S. Survey No. 8451;
 Sec. 20, excluding U.S. Survey No. 8470;
 Sec. 21, excluding U.S. Survey No. 8470.

T. 10 N., R. 74 W.,

Sec. 8, excluding U.S. Survey No. 10336;
 Sec. 13, excluding U.S. Survey No. 10330;
 Sec. 17, excluding U.S. Survey No. 10337;
 Sec. 19, excluding U.S. Survey No. 10341
 and U.S. Survey No. 12952;
 Sec. 20, excluding U.S. Survey No. 10337;
 Sec. 21, excluding U.S. Survey No. 10337;
 Sec. 24, excluding U.S. Survey No. 10330;
 Sec. 30, excluding U.S. Survey No. 8413.

T. 8 N., R. 75 W.,

Sec. 13, excluding U.S. Survey No. 12191;
 Sec. 21, excluding U.S. Survey No. 11908;
 Sec. 22, excluding U.S. Survey No. 11908;

Sec. 24, excluding U.S. Survey No. 12191;
Sec. 27, excluding U.S. Survey No. 11908;
Sec. 28, excluding U.S. Survey No. 11908.

Interim Conveyance No. 486 remains in full force and effect as corrected herein.

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 7th day of September, 2005, in Anchorage, Alaska.

UNITED STATES OF AMERICA

/s/ Krissell Crandall

Krissell Crandall
Chief, Branch of Adjudication I

Return recorded document to:

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

Calista Corporation

Takslesluk/Kayigyalik Lakes
Attachment 19

601 W. 5th Avenue, Suite 200, Anchorage, Alaska 99501-2225 • (907) 279-5516 • FACSIMILE (907) 272-5060

September 21, 1990

90 SEP 26

BLM
SO

Ms. Ann Johnson, Chief
Branch of Calista Adjudication
222 W. 7th Avenue, #13
Anchorage, AK 99513

RE: Navigability Redeterminations

Dear Ann:

The purpose of this letter is to inform you that it is Calista Corporation's wish that no new navigability redeterminations be made on previously conveyed lands within the Calista region.

Surveys conducted throughout village corporations in regard to this matter indicate that the majority of Calista villages are opposed to the idea of navigability redeterminations being conducted on lands conveyed to them under the Alaska Native Claims Settlement Act. What control the village corporations have over their lands are more important than gaining additional upland acreage under the Gulkana River criteria.

Of course, the village corporations and Calista reserve the right to receive our full ANCSA entitlements even if at a later date the navigability of these water bodies are challenged successfully by the State of Alaska.

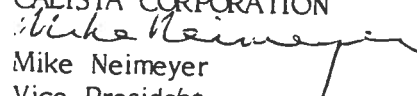
It is our understanding that before conducting a navigability redetermination, on prior native corporation conveyances, BLM must have both the surface and subsurface owners concurrence. Wherever Calista has either surface or subsurface estates, we desire no navigability redeterminations using the "Gulkana criteria."

We have heard from other regional corporations that the conveyance branches they work with at BLM are taking a different view on the navigability redetermination issue. Apparently, some branches require both surface and subsurface estate owners to protest the navigability redeterminations. If one or the other concurs with the redetermination they intend to conduct the new studies. If that becomes BLM policy for all conveyance branches including the Calista branch we would like a formal decision issued to that affect before it is applied to the Calista Region.

Should you have any questions regarding this correspondence or need additional information, please contact me at 279-5516. Thank you.

Sincerley,

CALISTA CORPORATION


Mike Neimeyer
Vice President
Land & Natural Resources

MN:lja

cc Calista Village Corporations

SEP 27 1990

Takslesluk/Kayigyalik Lakes
Attachment 20

✓ F-14914-A (2651)
(963) CMP

DEC 03 1990

Nunapitchuk, Limited
Nunapitchuk, Alaska 99641

Gentlemen:

This office received an "Approval to Modify Navigability Determination on IC'd Lands" from your corporation requesting the use of the current criteria for navigability determination.

Existing landowners must agree to corrections to title documents. In this case, both the regional corporation and village corporation must agree. If either corporation decides against or fails to request a navigability redetermination, BLM will meander only those nontidal water bodies less than the meanderable size that were determined navigable and excluded from the interim conveyance. The submerged lands will be segregated.

On September 21, 1990, Calista Corporation notified BLM that it decided not to request these redeterminations. Therefore, BLM will not segregate the beds of navigable waters that may have been inadvertently conveyed to the corporations at the time of interim conveyance.

Please do not hesitate to contact this office if you have any questions (271-5686).

Sincerely,

/s/ Charlotte M. Pickering

Charlotte M. Pickering
Lead Land Law Examiner
Branch of Calista Adjudication

Copy furnished to:

Calista Corporation
Attn: Land Department
601 West Fifth Avenue, Suite 200
Anchorage, Alaska 99501-2225

cc:

Chief, Navigability Section (961)

Cadastral (920B)

963*CPickering*hmc*11/20/90*4208x

F-14-11
(2561)

Takslesluk/Kayigyalik Lakes
Attachment 21

United States Department of the Interior
Bureau of Land Management
Alaska State Office, AK923
222 West Seventh Avenue, No. 13
Anchorage, Alaska 99513-7599

Aug. 5, 1991
AK923

Memorandum

To: Survey File

From: Sherm Bell, Project Inspector,
Atmautluak N.A. Contract No. N651-C1-3037.

Subject: USS 10374,

Instructions have been given to the contractor (R&M Consultants) to meander the lake between lots 1 & 2. This lake, though less than 50 acres, is used by local people as a boat access route to and from Takslesluk Lake. A boat tramway has been constructed between the two lakes and is in constant use by the general public. Heavy use of the tramway was observed by R&M crews while surveying meanders on these lots.

Instructions were also given to exclude a 5 chain wide corridor from lots 1 & 2 for the existing tramway. Full acreage will be given to both applicants by making minor adjustments to line 4-5 Lot 1 and line 5-6 lot 2.

A corridor between lots 1 & 2 is clearly shown on the affidavit signed by the applicant for lot 2 which is attached to a BIA conflict resolution letter dated 4-8-87. The original land exam for lot 2, dated 6-10-86, mentions a conflict with the boat tramway under section B2.

To follow the original sketch diagram and ignore the public use of the boat tramway, would surely invite protest. Protests to including the right of way for boat traffic in anyones native allotment have already been voiced by locals to R&M survey crews while they were in the area. This minor change to both lots will accommodate the public use of the tramway and follow the spirit of the BIA conflict resolution.

Sherman Bell

Sherm Bell,
Project Inspector

enclosures: Photo copy of revised sketch diagram.

cc: Survey field packet.

Takslesluk/Kayigyalik Lakes
Attachment 22

Form 1541-1
(May 1967)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

SHORT NOTE TRANSMITTAL

11/26/91
(Date)

TO : F-14390 (2561)
FROM : Chief, Navigability Section
SUBJECT: Lake in SE 1/4 T. 12N., R. 76W., Sec. 35;
and NE 1/4 Sec. 2, T. 11N., R. 76W., 5th.

In view of Herman Bell's memo of August 5, 1989, we believe that the subject lake probably is navigable and should be meandered. We will prepare a supplemental report to that of May 8, 1989, for meander 1836 (Group Survey 268, Atmeutluk, etc.).

MBrown

Note: Return this form when action is completed or attach it to data requested

U.S. GOVERNMENT PRINTING OFFICE 1984 451-663/7464

★GPO 1977-777-987



United States Department of the Interior

Takslesluk/Kayigyalik Lakes
Attachment 23

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

Baird Inlet-FY2001
Marshall-FY2001
Russian Mission-FY2001
2628 (924)

March 21, 2001

To: Files

From: Laura Lagstrom, Navigable Water Specialist AK924

Subject: Interviews for Nunapitchuk Window, 2001

Israthorak Creek, known as "Elaiq" pronounced "Ill'lii'yaq" in the Yupik dialect by villagers interviewed from Akiachak and Atmautluak. It was spelled "Elaiq" in a historical place BIA field exam.

Upper Mouth in Sec. 11, T. 14 N., R. 64 W., SM.
Lower Mouth in Sec. 27, T. 13 N., R. 70 W., SM.

Twelve Native allotment applications abut or straddle Israthorak Creek in the survey window. Ten lie within the first 10 miles of its lower mouth and the remaining two near miles 52 and 60 (approximate estimates)

Roland Nose at 825-4753 - Akiachak, Alaska; Noses' allotment is located in Secs. 34-35, T. 14 N., R. 67 W., SM., (mile 52 approx.) Case file F-19236.

Brian Latham, his son-in-law interpreted for Roland. Roland has gone to his allotment by boat sometimes in the spring but mainly in the fall. He uses a larger boat on Kuskokwim and Gweek Rivers and then transfers to a smaller Lund with a 15-horsepower motor to boat through a little creek and pond. In winter he sometimes pulled a bigger boat over by snow machine. In the past, he pulled the boat by hand. Roland said when he returned to Akiachak in the fall could carry 1,000 pounds, but it was difficult. Roland said Elaiq was deep in the spring but a little shallower in the fall. Near his allotment during the spring and fall, it is 12' - 24' wide.

Nose does not reach his allotment through the Johnson and Pikmiktalik Rivers because of the distance and cost. He reaches the Eliaq river in the spring and fall by boating through a little

creek and a pond off Gweek River. There is a mud house along the creek that he believes belongs to Nelson Nose of Kwethluk. He drags his boats over to a pond. He said nobody else boats this route except those by snowmachine in the winter. He believes Israthorak Creek to be wide and deep to Demantle's allotment that lies a few miles upstream.

Joseph Demantle Sr., Tuluksak, Alaska, Home Phone 695-6615; Demantle's allotment is located in Sec. 21, T. 14 N., R. 66 W., SM., (mile 60 approx.) BLM Case file F-19183.

Demantle said the creek that flows through his allotment is locally known as "Elaiq" which he pronounced, "Ill-lie-yuk." Between 1930-50 when he traveled to his allotment by dog team in the spring, he used to bring a 20' wooden boat mounted with either a four or eight horsepower outboard motor and several canoes. After the ice has melted off the rivers and lakes, he would travel down the river by boat. His load included up to six people, their dogs, camping gear and at times several loaded canoes tied together.

He believes the creek to be boatable from spring break up or as early as mid May through freeze-up or near the first of October. His estimates of the river's depths are as follows:

Spring - four feet to very deep;

Summer - some areas four to five feet;

Fall - five to six feet deep.

He believes that from 1970 on no one has reached his allotment by boat because of all the beaver dams, some 8' high. Today there are too many beaver dams on the creek. Even when destroyed, they are quickly repaired. Demantle said to call Robert Nick at Nick's Store in Nunapitchuk, phone 527-5127. About five years ago, Robert Nick told him he was only able to boat to 10 miles below Demantle's allotment. Today Demantle's sons and grandsons reach his allotment by snowmachine during the winter to hunt. His allotment lies 15 miles northwesterly of Tuluksak. In the spring they would hunt muskrat and would reach upstream as far as Kalskag.

Robert Charles of Akiachak said "Elaiq" was very long and heads at several big lakes. During the 70's - 80's, he used to boat as far as Roland Noses' allotment to hunt in the spring in an 18' Lund with 70 horsepower propeller motor. Other hunters whose boats were 22' long with 88 horsepower motors had to drag their boats beyond Nose's place with a snowmachine because the stream was not very deep. He felt that one could boat this area in the summer but only for salmon berries. Some villagers from the surrounding area moose hunt in the fall beyond Roland Nose's place. He could not give estimates for depths.

Jackson Lomack - 825-4754 (Jackson is the son of Joseph Lomack and lives near him) Jackson said Israthorak Creek varies in width but is very wide near his dad's allotment (mile 5). The last time he boated Elaiq was between 1978-80 near the end of May in a 22' wooden boat with a 115-horsepower Evinrude propeller-driven motor. He boated beyond his dad's allotment toward a lake but he was unable to describe the location. The river was so deep that he could not reach the bottom with an oar. Every year villagers from Nunapitchuk, Atmaultluak and Kasigluk boat this river. He said to call George Peter at 825-4513 and Jimmy Lomack at 825-4433.

George Peter, home phone 825-4513. Peter boated to Roland Nose's allotment about two years during the spring around the 2nd week of May in a 12' aluminum Harborcraft mounted with a 15-Horsepower Mariner propeller-driven motor. Peter usually camps at William Lomack's Native allotment site that is about six miles from Píkmíktalik River. He and his cousin did not have a very large load. The river was on average about 6' deep. It was not flooded. Elaiq was only about 10' wide near Noses' allotment. Peter said about four years ago during the first of October he was only able to reach Tom Wassillie's fall and spring camp because his boat kept hitting bottom. He was using a 22' Yukon Raider Boat mounted with a 130-HP Johnson and carried a 12' boat with 15 horsepower Mariner, 110 gallons gas, some camping gear, food and two adults. (I could not find an allotment application for Tom Wassillie).

Tundra people, villagers from Atmautluak, Nunapitchuk and Kasigluk boat the river during September to hunt moose but he did not say where they hunted. Overall, George Peter felt that the river is deep up to Roland Noses' place from the end of May to the 2nd or 3rd week of June. He said during the summer the river is too shallow to reach Noses' allotment but he felt the river would be boatable to Nose's allotment during September until 3rd week of October, or for 6-7 weeks. The river is only boatable up to Tom Wassillie's place during the summer.

Moses Frederick, phone 825-4287. His mother is Pauline Frederick who has an allotment about 10 miles upstream. Frederick said many people boat Israthorak Creek in spring and fall. He boats the river every spring around the third week of May in a 22' alumaweld boat mounted with 100-horsepower propeller-driven motor. Elaiq is between 30'- 50' wide around his mother's allotment and very deep in spring. In the summer months, when he takes his family berry picking the river is a little shallower than spring but he and others can still use their big boats. He has never boated it in the fall. He travels to this area in the winter with a snowmachine. There are no obstructions in the spring and summer.

Moses Pavilla Sr., home phone 553-5526. Pavilla said every September he has gone moose hunting near the upper end or to a slough above the village of Tuluksak. He did not know where Nose or Demantle's allotment claims were but he said many villagers from Nunapitchuk and Atmautluak moose hunt near the end. He can boat Israthorak Creek the whole month with a 25' whitewater aluminum boat made in Oregon. For the past 19 years beaver dams can be found all along the river. His 112-horsepower Envinrude propeller motor can usually jump over the beaver dams. Some weekend trips include eight adults, a child, camping gear, about 90 gallons of gas and sometimes a small 14' boat to save gas. He boats Israthorak Creek in the fall after the rain. I asked Pavilla how many weeks would the river remain deep near the upper reaches or to the end. He said, "depending on the rain, about two or three weeks between the middle of August through September." After the rain, the river ranges between 3'-15' deep. In the summer it is normally shallow except this past summer when the river was between 1'-3' deep. In spring some villagers boat to their spring camps when the river is free of ice between the first of May to the first of June. Pavilla said the river ranged between 11' - 150' wide. His estimates of the river's depths are as follows: Spring-between 4'-5' deep at the mouth and 3'-15' at the upper end depending on the snow; Summer-up to mid-July the river is not that deep; Fall-between 3' - 15'.

Morris Moochin - Atmautluak Corporation office, phone 553-5428. People boat the upper reaches of Israthorak Creek every year. It is used by many people from the tundra villages of Kasigluk, Nunapitchuk, Atmautluak and villagers along Kuskokwim. Moochin said, "It is famous for its abundance of subsistence, huntable animals." The last time Morris boated the river was about three years ago in September. He reached an area north of Tuluksak but below Lower Kalskag. He used an 18' Lund boat mounted with a 65-horsepower Evinrude propeller-driven motor. His load included his son and about 800 pounds. Near the upper end there were some shallow areas but he was able to continue without lifting his motor. It was deep enough to boat all the way to the end and estimated the width to average between 40'- 50' wide. He said near the end of September the river is shallower so he normally travels between the first and third week. He does not boat the river during spring and summer. I said I had talked with others who mentioned hunting up to a slough about Tuluksak and at the upper end. I said I would send him a map of Israthorak Creek. He said to call Billy Gilman at 553-5429.

Morris Moochin -Atmautluak Corporation office - 553-5428. In our second conversation after receiving the map I sent him showing Israthorak Creek, Moochin said long ago Elaiq (Israthorak Creek) used to be wider. Moochin he and others from his village moose hunt where the map reads Israthorak Creek in Sec. 19, T. 15 N., R. 64 W., SM., during September. Some areas were 3' deep and narrow but much wider than their boats. It stays deep between the end of September to the first of October when it begins to freeze. He has boated to this area several times, but there are times when the water is low between September and October. He believes even if the river is low, it is undoubtedly still boatable. When asked if this is where other villagers reach when they mention the slough above Tuluksak and below Kalskag, he said yes.

Billy Gilman of Atmautluak, works from 9-5pm, phone 553-5429, home: 553-5915.

Gillman said about two or three ago in September he was moose hunting near the end of Israthorak Creek (Elaiq) river that is situated right below the village of Kalskag along the trees of the Kuskokwim River. He used an 18' aluminum skiff mounted with a 55-horsepower propeller motor. His load included two adults and about 30 gallons gas. He believed the river to be navigable though some places were narrow and they had to cross beaver dams. He emphasized that he went all the way to the end, right below Kalskag or to the tree line near the Kuskokwim river. Gilman said the river was very deep except in the areas "south" or below the beaver dams where it ranges between 4'-5' deep. He believed it stayed this deep at least two weeks but longer if it rains. Gilman said that near the end of September the river becomes shallower. The river is between 30'-50' wide in this upper area but wider near the mouth. He mentioned the fork where boaters head to the right.

The river is deep in the spring and many villagers head for their spring camps. He is unaware of anyone boating near the end during the summer months. Obstructions include beaver dams, especially the first beaver dam where it is "passable with a good strong motor." Gilman said boats are easily able to carry 1,000 pound loads. Once he used a 22' boat with a 90-horsepower propeller motor. His load included two drums of gas, groceries, camping supplies, and tents. Another party was hunting with them and both shot a moose. Their boats had no difficulties

boating downstream. Gilman said he was very familiar with **Pikmiktalik River** and said to call him at work (907) 553-5429 between 9-5pm to interview him. He also mentioned that the river above the Pikmiktalik is known as Aguligutak (Kvichavak River).

Unnamed left bank tributary to Israthorak Creek - Approximately three miles long, with its mouth in Sec. 16, T. 12 N., R. 70 W., SM. Two Native allotments straddle the stream and one abuts it. A historical site conflicts with three of the Native allotment claims.

The field reports for Native allotments Alice Sam, case file F-029209 and Agnes Charles, case file F-029215 of Akiachak dated September 1984, states that access to their parcels is by boat in the summer and snowmachine in the winter. Both mentioned the abundance of water in the Israthorak Creek and an unnamed creek for trapping small furbearers, blackfish and waterfowl hunting.

Oscar Sam Sr., husband of Alice Sam called collect this morning. He said the Yupik name of the small stream that goes to the big lake is called "A-ley-look-suak" - which means "its kinda up here."

Before Sam leaves Akiachak in the spring for his wife's allotment, he telephones the "tundra people" or villagers who live in Atmauthuak to ask them if Israthorak Creek is free of ice. Normally he can boat Israthorak Creek and this unnamed tributary the first or second week of June. It takes about a day with a big load of supplies from Akiachak to reach his wife's allotment. Today he uses an 18' Lund with a 40-horsepower propeller motor.

He used to use a 24' wooden boat mounted with several propeller driven motors ranging from 18 to 60 horsepower. He hunted ducks and muskrat in the spring and took his family berry picking in the summer. His load usually included six to seven people plus their camping gear and extra gas. One spring on the way to hunt muskrat, his 24' wooden boat caught on fire and burned up right in the middle of Israthorak Creek. His load included two adults, five children, camping gear, a drum of gas and six extra gas tanks. Fortunately a nearby boat rescued all of them. The boat and everything in it burned up.

Sam said the small stream that abuts his wife's allotment at the mouth is very deep in the spring, deeper than the length of an oar. During the summer it is about 5' deep and on average 20" wide with some sections being narrower and some wider. He does not boat the stream in the fall because it is too shallow. Once near the end of August in the 70's while berry picking, he had to turn his 24' wooden boat around because it was too shallow.

The stream is boatable from spring through summer from its mouth to the lake and is unobstructed. There are no shallow areas in the spring. A very long time ago, he used to walk to this area from Akiachak. He said to call Charlie James at the IRA office and Herman Frederick's son, Moses Frederick, a health aid in Akiachak.

Robert Charles of Akiachak, home phone 825-4041 and can be contacted by leaving messages at 825-4072, 4213, 4821 or 4045. Charles said another Yupik name for the stream that flows through his mothers allotment is "Kue-voig- luq." Charles uses a 22' custom-made aluminum boat mounted with a 135-horsepower propeller-driven motor. He boats to the big lake during spring or around the middle of May. During summer when he takes his family berry picking in July, often his load includes seven to nine people, extra gas, grub, a tent, clothing and a stove. During the summer when it has not rained and the area stays dry and sunny, the tributary is very shallow and he is not able to reach lake. Villagers from Akiachak, Atmaultluak, Nunapitchuk, Kasigluk, Bethel and other surrounding communities regularly boat to this area to spring camp and to hunt muskrat and beaver. In the summer they pick salmon berries. Charles said when he was younger, he remembers seeing some old crosses.

Charles estimated the stream to range between 8'-10' deep in the spring from the mouth to the lake. During July and August it decreases to 4'-5' deep. He has no reason to boat it in the fall but believes the stream would be deep because of the annual rainy season. Some areas of the lake are deep and some shallow but if one heads straight into the lake it is deep. There are a couple beaver dams and four or five beaver houses but he can boat over them.

Johnson River - the following two Native allotments straddle the river: Daniel P. George, AA-37832 in Sec. 31, T. 15 N., R. 71 W., SM., and Sinka Williams, F-16023, Parcel A, in Sec. 15, T. 17 N., R. 65 W., SM.

Patrick Peter, Akiachak IRA office phone 825-4626 - Patrick has a 22' Yukon Raider and a new 150-horsepower motor, but to boat the Johnson River he uses a 90-horsepower motor and carries a 12' skiff for emergencies and shallow areas. He boats up to the Yukon-Kuskokwim portage in the spring and in mid-July to pick berries. He does not boat here in the fall. He said toward mid-summer the Johnson ranges between 4'-6' deep even during hot days. In the spring it is very deep, at least 10' - 15'. He stated it is deep from its mouth to near the Yukon-Kuskokwim portage in T. 17 N., R. 63 W., SM.. In the spring he stays up the river about a week. There are usually at least five people in the boat. He estimates the river to be between 12' - 15' wide near the upper reaches.

Daniel P. George of Akiachak, home phone 825-4635 - The last time Daniel went to his allotment by boat was a couple years ago in September to moose hunt. He used a 22' Yukon Raider with 120-horsepower motor and his load included probably four other adults. They boated past his allotment, but not as far as the Yukon-Kusko portage in T. 17 N., R. 63 W., SM. Here the river was about 4' deep but most of it was between 5' and 7' deep. It is very deep at the mouth. In the spring, the Johnson River is very deep because of the snow melt and melting river ice. He said there are no beaver dams, but there are a few beaver houses but they do not block the river yet. He does not go to his allotment in the summer. Many villagers from Nunapitchuk, Atmaultluak, Kasigluk, or tundra people moose hunt above his allotment.

Left Bank tributary of Johnson River, Mouth in Sec. 18, T. 13 N., R. 71 W., SM.

Fred A. George's allotment (Case file AA-51109) straddles the tributary about four miles upstream. Allotments for Joseph Ekamrak (Case file AA-37824), Martha Ekamrak (Case file AA-55923) straddle the mouth where the stream is between 3-5 chains wide.

Fred A. George Sr., Box 154, Akiachak, AK. 99551; Home phone 825-4033. George said the local Yupik name of tributary is "Tuni'ghoon" or as his wife in the background spelled it, "Tunuirgun." Fred reaches his allotment by boat in spring, summer and fall and by snowmachine in the winter. In the spring "Tunuirgun" is approximately 8' - 10' deep and 50' wide. In the summer and fall it is approximately 4' - 10' deep and 20' - 30' wide.

He has boated this area for many years, most recently last spring in a 20' Lund Alumaweld boat with a 115-horsepower propeller-driven motor. His load included five or six people, a mix of adults and children, food, a tent and a 55-gallon drum of gas. It was a very big load. In spring George boats to the lake locally known as "Tunighoon Lake" about five miles above his allotment. Beaver dams are beginning to block the channel but so far, do not impede boat travel.

George said "tundra people" or villagers from Nunapitchuk and Atmautluak hunt in that area and villagers from Akiachak pick berries there. He said to call his brother, Walter George at 825-4915 and his cousin, Peter Ekamrak at 825-4420.

Fred George boats to his brother's cabin on the Pikmiktalik and said I could call him when I begin interviews for boat use on that river.

Walter George of Akiachak, phone 825-4915. Walter George said he has boated the Johnson River tributary for many years. His most recent trip was about three or four years ago in late May with a 22' Yukon Raider mounted with a 115-horsepower propeller-driven motor. His load included three adults, food and camping gear. They stayed four or five days hunting black birds and traveled quite a distance beyond his brother's allotment. He estimates the river to range between 6' and 8' deep from spring to fall and approximately 24' or wider around his brother's allotment. There are no obstructions from the mouth and beyond his brother's allotment. He has seen others boat this river including his cousins, Peter Ekamrak, John and Abraham George and Fritz George, home phone, 825-4714.

Peter Ekamrak of Akiachak, phone 825-4420. Ekamrak has been up to Fred A. George's allotment by snowmachine and by boat in the spring. He usually boats beyond Fred's allotment after spring break-up that usually occurs around the middle of May. Ekamrak uses several boats, including a 16' or 18' Lund mounted with either 30 or 40-horsepower propeller motor. He estimates the river to be between 40' and 50' wide around Fred's allotment and 8' deep. Even if the river is shallower in the summer and fall, villagers from Akiachak still pick berries between the end of July and August and Atmautluak villagers hunt fox, mink and beaver net white fish.

Pikmiktalik River - in T. 14 N., R. 67 W., SM., where the Native allotment claims for Kenneth Peter, case file F-012116 and Tom George Peter (dec.), case file F-016791 straddle the river.

Eli Wassillie, Nunapitchuk Tribal Council, phone 527-5705. Wassillie said the last time he boated this river was four or five years ago to hunt moose with his older brother and nephew. He was using an 18' aluminum boat mounted with 40 horsepower propeller-driven motor. Their load included camping gear and gas for several days. Wassillie said the Pikmiktalik River was deep, wide and unobstructed the whole month of September. He boated to the place where "Christmas trees," appeared or about 35 miles north of Akiachak. I faxed him a map showing the Pikmiktalik River and the Native allotment claims for Tom George Peter (F-16791) and Kenneth Peter (F-12116). When he called back, Wassillie said they had no problems reaching the Native allotment claim, AA-37822, located in Sec. 34, Tp. 14 N., R. 68 W., SM. & Secs. 3-4, T. 13 N., R. 68 W., SM. The river was deep, wide and open. Wassillie was unable to estimate how deep and wide the river was. They did not shoot a moose. He said others who may have information of boat use on Pikmiktalik River include Tommy Andrew Sr., phone 527-5704, Andrew Wassillie, phone 527-5021 and Jimmy Stevens, phone 527-5189, all of Nunapitchuk.

When I called **Kenneth Peter's home, phone number 825-4826** in Akiachak and asked for Kenneth, his son-in-law, Robert Snyder came to the phone. Once in 1993, Snyder boated the Pikmiktalik River to his father-in-law's allotment during the end of July to take his family berry picking. He used a 22' alumaweld boat mounted with a 120-horsepower outboard propeller motor. He took his family which included four adults and five children, camping gear, a drum of gas and supplies for three weeks. They ended only staying three days because all their berry buckets were full. They even set a net in the river. Snyder said Pikmiktalik stayed very deep year round except near the end of summer when it becomes shallower. His boat encountered no obstructions along the river and their boat did not touch bottom. It is very wide in some areas and near his father-in-law's allotment, it ranges between 30' and 40' feet. He said to call Marie Frederick because she used his boat the following year. Snyder said the Pikmiktalik River stays deep from spring until the end of summer. It is also deep in the fall. He said to call Tom Peter Jr. at 825-4511 or Marie Frederick at 825-4506 or work 825-4612.

He said to talk with villagers from Atmauthuak because they boat the river to reach subsistence hunting areas and to pick berries.

Marie Frederick, work phone 825-4612. Marie said in 1994, between the end of July and the first of August, she used Robert Snyder's 18'-20' wooden boat with a 45-horsepower Yamaha motor to reach a salmonberry picking area about two or three miles above Kenneth Peter's Native allotment. The adults included Kenneth, his grandma, herself and her sister. Their camping gear included a tent, sleeping bags, mats, Coleman stove, blazo, food, dishes, pots and pans, rubber shoes, extra clothing, 20 gauge rifle, rifle shells and berry buckets. She said the river was wide, very deep, deeper than the boat oars (estimate 7'-8' long). They encountered no obstructions. She has not been there any other time.

Tom Peter, Jr., phone 825-4511. Tom Peter has traveled to his father's allotment (Tom George Peter) by snowmachine and by boat. In the 1970's-80's he traveled in an 18' Lund mounted with a 40-horsepower Mercury motor. When he boated to pick berries in August, the river was very deep but hesitated to give estimates. There were no obstructions. In winter they hunt for ptarmigan on the tundra by snowmachine. He said his mother, Cecelia, would probably offer more information but she is in Anchorage and he does not know when she will be back. He said to call his sister, Julie George at 825-4412.

George Peter of Akiachak, phone 825-4513. Last spring around the third week of May 2000, Peter and his cousin, Bob Peter boated beyond Kenneth and Tom George Peter's allotment in a 12' aluminum boat with a 15-horsepower Mariner. When they reached an abandoned old sod house the water became too shallow and they turned back. He was not aware of the local name. Peter said the Pikmiktalik River was about 4' deep around the allotment claims. He said it stayed this deep from the end of May to last part of August. The river was between 16' and 25' wide in this area. He did not see any other boats at this time.

Peter was also there in the fall around the 1st week of October two years ago with the same boat. The river was a little shallower, about 2' deep. He was hunting, netting whitefish and picking cranberries. George Peter normally leaves Akiachak in a 22' Yukon Raider boat mounted with a 130-horsepower Johnson and carries the 12' aluminum boat with a 15-horsepower motor. He stays at William Lomack's Native allotment site along Israthorak Creek (Elaiq River), about five miles from its confluence with Pikmiktalik River. From this point, he boats the surrounding rivers with the 12-foot aluminum boat. Becoming weary of my questions, he said I should go up there myself instead of asking him all these questions. I thanked him very much for the information.

Morris Moochin - Atmaultuak Corporation office, phone 553-5428. I had mailed Morris a map showing the drainages of the Israthorak and Pikmiktalik Rivers. Moochin said every year he boats to where the Pikmiktalik River lays closest to a big slough of the Kuskokwim River in Secs. 15-16, 19-23, 26, 29-32, T. 16 N., R. 63 W., SM. He could hear boats on the Kuskokwim River and believed they could have walked to the river. Moochin uses an 18' Lund boat mounted with an Evinrude 65-horsepower propeller motor. He said villagers could reach this area every year to moose hunt and berry pick the month of September. They generally use 18' aluminum Lunds mounted with 25-30-40 and up to 70 horsepower motors. The water is on average 3' deep and ranges between 8' - 20'+ in width.

He has seen other people in this area including villagers from Tuluksak. Villagers particularly like to hunt, gather firewood and berry pick in this area. Moochin said Pikmiktalik is navigable or boatable because it is wide and deep for their boats. There is nothing to prevent them from boating to this area every year with heavy loads.

Left bank tributary of Johnson River in T. 14 N., R. 71 W., SM.

Moses Paine of Akiachak, phone 825-4521. Paine's allotment, case file AA-37838, encroaches part of a lake that feeds into a short three-mile+- left bank tributary of Johnson River. The case file states that Paine reaches his allotment by dogteam or snowmachine.

Moses Paine said he is only able to reach his allotment in the spring when all the rivers and creeks are flooded after the snow and ice have melted. The creek is about 50' wide and three feet deep. He leaves Akiachak in a 24' boat and then when he reaches the mouth of the creek along the Johnson River, he transfers to his smaller 14'-16' boat with a 40-horsepower Lund motor. The creek is too shallow for his bigger boat. At times, his load includes five adults. Paine is not able to boat to his allotment in the summer or fall because it is too shallow. He leaves his boat along the Johnson river and walks to his allotment. He said the lake next to his allotment is drying up.

Right Bank Tributary of Johnson River in T. 12 N., R. 73 W., SM.

The Native allotment claim for Willie A. Alexie, (Dec.), case file F-968 appears to straddle two small streams that feed into the Johnson River. The case file noted that the lands are used to fish for pike, whitefish and to trap muskrat and to pick berries. No other allotments abut or cross the stream. No commercial or historical use was cited in the case file.

Napakiak IRA office, Walter Nelson, phone 589-2135. Nelson said he would talk with Willie Alexie's wife. Mrs. Alexie said they used to boat the stream with a small boat but no one has boated it anymore because of all the beaver dams. Up to date, the creek is not navigable. She referred to the creek by a name he never heard before. I faxed Nelson a copy of the field exam sketch diagram and a map of the unnamed stream. He will follow up next week.

Walter sent a fax back which named the stream "Elriwik." He wrote the family can only use a very small boat on the stream and are not able to reach the lake (in Sec. 10) because of the beaver dams. The lake is drying up and only fills up during very high tides during spring break-up. When I questioned Walter Nelson regarding the high tides, he said the stream is not tidal and he meant to say that when they get the south winds and lots of rain, there are higher tides on the lower part of the Johnson which back up during high tides. He did not mean to say the stream was tidal or tidally influenced.

Putu Creek - T. 15 N., R 72 W., SM.

The Native allotment claims for Mary Ekamrak (AA-52707) and Helena George (AA-37833) straddle the stream about four and five miles from the mouth. In their case files, both state access to their allotments by boat on Putu Creek. Helena George has claimed occupancy since 1933 and Mary Ekamrak since 1948. After several telephone interviews with villagers who have experience boating Putu Creek, it became apparent that each considered to a left bank tributary (mouth is just north of Mary Ekamrak's Native allotment claim) a continuation of Putu Creek.

Mary Ekamrak of Akiachak, Phone 825-4420. I first spoke with Mary who gave the phone to **John** her husband who works for the Akiachak IRA, who then gave the phone to their daughter **Ina**, who then gave the phone to their son **Peter** who then gave the phone to their other son, **Willie Ekamrak**. Willie, who ended up translating for his parents, said when they travel to Mary's allotment they use an 18' Lund with either a 25 or 30-horsepower propeller motor. The water is always deep. They have no problems boating to and beyond the allotment. His estimates of the creek are as follows:

Spring - varies - around 10' feet - very deep

Summer - 8'

Fall - if lots of rain - 9'-10'

Willie Ekamrak said there are no obstructions and the creek is known in the Yupik dialect as "Chounuk." It is very wide. The narrowest is about 15' wide. He has seen many other villagers from the surrounding area boat the creek including Abraham George, phone 825-4726.

Ina, the daughter-in-law, said her family picks blackberries every July in an 18' Lund around Mary's allotment. She says the stream is deep all the time and they have never encountered any obstructions. She agreed with John and Mary's information.

Daniel Ekamrak, phone 825-4015. Daniel is Mary's son. Ekamrak said about four years ago in late May, he almost reached a lake located beyond his mother's allotment. He was using an 18' Lund with 50-horsepower Honda propeller motor. His load included his wife, three kids and their camping supplies. They stayed a couple of days. He estimated the creek to be about 20' deep and between 25' and 35' wide. He has never boated Putu Creek in summer or fall but believes it would remain deep and therefore boatable because of the width and depth when he has been there in late May. He has seen others from the tundra villages of Nunapitchuk and Atmnautluak boat Putu Creek.

Willie Ekamrak, phone 825-4254. Ekamrak said the creek is on average 10' deep. Willie uses a 22' pacific skiff with a Honda 90-horsepower propeller motor.

Daniel Ekamrak, phone 825-4015. I called Daniel back to ask what direction he and others took after they reached his mothers allotment. He said they head right (or toward an unnamed left bank tributary). He said to talk with Peter Ekamrak at 825-4420 or Carl. He reiterated that people boat to the right.

Peter Ekamrak at 825-4420. Ekamrak called Putu Creek "Chounuk." Last September when Ekamrak went moose hunting (season lasts all of September) he used a 24' Yukon Raider with a 120-horsepower motor. His load included four adults and camping gear. They traveled about four or five miles beyond his mother's allotment to the right or in a northeasterly direction. They did not encounter any obstructions nor did his boat hit bottom. Some places were deeper than his boat oars. He says Chounuk remains deep the whole month of September.

He has never boated "Chounuk" in spring or summer nor the creek to the left of his mother's allotment. He only travels on this creek by snowmachine.

Unnamed tributary to Kayigyalik Lake, mouth in Sec. 24, T. 12 N., R. 75 W., SM., and its left bank tributary, mouth in Sec. 10, T. 12 N., R. 74 W., SM.

The Native allotment claim for Alexie Nicholas, case file F-16567, straddles the unnamed tributary about seven miles upstream. The following Native allotment claims straddle its left bank tributary: Carl Thomas White, case file F-19128, at its mouth and Billy Andrew, two parcels, case file F-14386, Parcels B and C, about three and seven miles further upstream.

Mary Enoch of Nunapitchuk, phone 527-5776 (daughter of Carl Thomas White). Mary said the last time she went to her father's allotment was about six years ago in July to berry pick in an 18' Lund with 70 horsepower motor. There were three adults and two children in the boat. They stayed around her dad's allotment. She said to call her half brother Henry Parks at 527-5299.

Moses White of Nunapitchuk, phone 527-5026 said the Yupik name of the river is "Autci'ghun" which in part means "you go under something." White was at his dad's allotment (Carl Thomas White, BLM Case file F-19128 in Secs. 10 and 11, T. 12 N., R. 74 W., SM) last August 2000 berry picking with his wife and four children. He used a 16' Lund with 40-horsepower motor. He said the mouth at the lake was very shallow, about 1' deep. The rest of the river was between 4' and 6' deep and about 10 yards wide or 30' through his dad's allotment. In spring he reaches the allotment by snowmachine. He also boats here in the fall to hunt ducks. Sometimes he has to push or use oars to get past the mouth with his 16' Lund. Inside the river beaver dams are also a problem. Between the beaver dams the river can be 2' and 3' deep and above them 4' deep. When asked if his boat were loaded with 1,000 pounds, could he boat the river in July, he said no because of the shallowness of the mouth of the river. He does not boat it in September. Near the first of October before freeze-up he uses a 12' or 14' Lund with 15 horsepower motor to reach his dad's allotment. From Nunapitchuk it takes less than 45 minutes to reach here if he has no problems crossing the mouth. He said very few villagers boat the river because they are well aware of the shallow area near the river's mouth.

Two years ago in August when he was planning to pick berries, he spent two to three hours pushing and pulling the boat to try get past the mouth of the river. It is a hassle and other people from the villages do not boat it especially when there has hardly been any rain in summer and it has been warm all summer months. This shallow area along the lake is about 1,000 or more yards long filled with very soft mud. He can usually get through the area with his smaller boat maybe four weeks in June and maybe two weeks in August. He said there is no historic or current commercial use.

Henry Parks of Nunapitchuk, phone 527-5299 has been up to his father's allotment (Carl Thomas White, BLM Case file F-19128 in Secs. 10 and 11, T. 12 N., R. 74 W., SM) to pick berries, subsistence hunt and to trap which begins November 10. Last summer about the third week of July Henry Parks and his brother began building a small cabin. He used a 18' aluminum

boat with a 70-horsepower motor and towed a 12' aluminum smaller boat with 15 horsepower motor as a precaution because the water is always shallow. His load included three adults, one child and about 800 pounds of camping gear. They stayed four days.

Near his dad's allotment, he estimated the river to be between 2' and 4' deep and 30' and 40' wide. During spring break-up water is high but during the summer the water level drops. In the fall if it rains for several weeks or days, the river does rise, but if the weather is dry, the water always goes down. Predicting it is difficult. Parks said the mouth is always very shallow especially when it has not rained a lot.

I talked with Parks again to ask about problems boaters have at the mouth and he said that during the summer months when they have not had rain, boating all the lakes in the surrounding area is hard. To reach the river they must cross Kayigyalik Lake. In spring after the ice is gone, the mouth is deep for about two weeks from the first to the middle of June. It is deep enough for boats to carry a load of 1,000 pounds. Sometimes this depth can last toward the end of June. People can use different sizes of boats, even a 22' with more than 1,000 pounds of load. Nevertheless, after that, especially the first July, all the lakes and rivers around their villages get shallow. Sometimes it can rain all summer and they can boat all the lakes and rivers. The weather is unpredictable. There is a channel they follow through the lake to reach this river. When the winds are from the north and it does not rain, the channel through the lakes to this river is very shallow. During fall when the weather changes and the winds come from the south, the water level rises for a short period. This year they have had very little snow and if this continues through break-up, there will be very little water in the lakes and rivers.

He has personally had problems crossing the mouth with his 18' boat with 70 horsepower motor in August and September. Crossing the mouth has always been a problem because it is too shallow. However, the river is deep. He said when it has not rained, the surrounding lakes and rivers are shallow and he does not even attempt to leave Nunapitchuk. He said, "If we cannot pass the mouth, we cannot go up that river." He agreed with Moses Whites description of the shallow area being 1,000 yards long at the mouth and filled with soft mud at the bottom. His parting words were, "It is really tough."

David Nicholas of Kasigluk, phone 477-6157. Nicholas is the son of Alexie Nicholas (F-16567). He said the unnamed tributary is known as "Ugi-ghoon." Nicholas has been up to his dad's allotment often, the most recent being last summer around the middle of August to take his family berry picking. He was using a 16' Lund with 40 horsepower Yamaha propeller motor. His load included himself, his wife, his two sons and two children. They only stayed about six hours berry picking. The mouth was shallow but they could pass through it. The main river was deep. He has also boated the river in June and September. He said the main river is deep but he has problems crossing the mouth because it is so shallow. He also uses a 14' boat. When asked if boats would be able to carry 1,000 pounds of load on the river, he said if he had to haul 1,000 pounds of load on the river, he would wait until winter when the river was frozen because of the shallow area at the mouth. He said to call Wassillie Berlin at 477- 6151.

Wassillie Berlin, phone 477- 6151. Berlin said that I should talk with his mother, Alice Berlin.

Alice Berlin pronounced the name of the creek "Atchi-goon." She said when they go salmonberry picking in that area between the last part of July and first of August, some people use 18'- 22' Lunds. When they reach the mouth they have to go fast and not slow down. There are usually four or five adults and kids in their boats. When moose hunting the last of August through first of September she has seen 18' - 22' boats in the river. The river is deep.

Billy Andrew of Nunapitchuk, phone 527-5459 (Parcels B and C) Currently Andrew can only reach his parcels by snowmachine in the winter. Two years ago near the end of July he attempted to take his wife and several children berry picking near his parcels but they were forced to return to Nunapitchuk because of the shallow water and beaver dams. He was using a 16' Lund with 15-horsepower motor. He said maybe with a lighter boat, a 12-14' Lund with 15 horsepower motor, he could probably reach his parcels. Also, during the summer months, there is a shallow area at the mouth of the river along the lakes edge which he passes through by paddling. In the spring he estimates the mouth to be less than three feet deep for about a week. Andrew does not boat to his parcels in the fall because the river is too shallow and there are too many beaver dams. Even though the river itself is deep, he does not believe that he could haul 1,000 pounds through the mouth except in the spring and only for a short period, or about a week. However, he may be able to "inside" the river. Andrew said he traps mink between November 10th and December. He hunts muskrat in the spring by boat and sometimes traps otter in the fall with a snowmachine.

Unnamed stream in Sec. 31, T. 11 N., R. 80 W., SM. Moses White's allotment (F-18869, Parcel B) crosses a small stream in Sec. 31, T. 11 N., R. 80 W., SM.

Moses White - Kasigluk, phone 477-6728 . White said the local Yupik name of the small creek that crosses his allotment is: "Tu-gluk-too-li." The little creek is usually very shallow. White said that one could take a small boat, maybe an 18' boat with motor upstream less than a mile. Near the mouth in the spring it is about 8' deep or less for about two weeks from the end of May to the middle of June. During the summer months the water drops to less than 4' and drops even further in the fall. These depths are just near his allotment. He said sometimes other villagers boat the creek to pick berries in the summer and fish for pike in the spring. It is not very wide, about 4' wide. When you meet another boat you have to be way on the side or you have to boat to a wider area. Moses White has a little house on his allotment.

To reach his allotment, he boats the main river which drains Puk Palik Lake known as "Agoo-luguak River" by local villagers beginning in Sec. 33, T. 11 N., R. 79 W., SM. Many people use this main river to reach salmon berry areas between the middle of July and the first of August. White uses a 18' Jon Boat with a 40-horsepower propeller Mercury motor. He said other villagers (most likely from Kasigluk, Nunapitchuk and Atmautluak) reach "Agooluguak" from the Johnson River through a series of lakes and a tram way on one of the long lakes. (See interviews with Anna (Beaver) Anvil and Moses Wassilie at the end of this memo).

Informational purposes: On the MTP, Secs. 19-36 were selected by Vil. Sel., F-14904. F-14904 A, excluded River 432. Kathy Flippen helped me look through the A file and we found a handwritten reference to river 432. It was not the little stream we were looking at. She did not find the application which would have referenced river 432.

Pikmiktalik , Israthorak Creek and Kayigyalik Lake

I talked with **Gene Peltola, Refuge Operations Specialist, Yukon Delta National Wildlife Refuge**, Bethel, Alaska, phone 543-3151 about boat use on the above referenced water bodies. He sent an e-mail on 2/5/01 which read, "I have looked over the locations with Mike Rearden (Refuge Manager) and George Walters (pilot). Here is what we came up with:

- 1) **Pikmiktalik** - our office and our LE division conduct patrols during the hunting season, and several overflights on our way to the Yukon. On several occasions, we have been boats as far the location you specified, and recall seeing boats a bit further up. (I stated that Morris Moochin said he is able to boat to an area within T. 16 N., R. 63 W., SM where the Pikmiktalik comes close to the Kuskokwim River when moose hunting.)
- 2) **Israthorak** - the same goes for this location. The river is also accessible from the Kuskokwim side, via a series of sloughs. (I stated Morris Moochin and Moses Pavilla Sr. of Atmautluak can boat to a slough above the village of Tuluksak when moose hunting in September.)
- 3) **Kayigyalik Lake Trib:** During late summer we have seen boats in this vicinity, especially when people are out picking berries. We have observed boats up to the upland tundra, north of your location. (I specifically questioned the shallow area near the mouth which prevented many boaters from ascending the river during most of the summer months)."

I e-mailed Gene Peltola back and asked for more information about **Israthorak Creek** being accessible from the Kuskokwim side. No response.

Miscellaneous information gathered from two villagers who were selling crafts at the annual Arts and Crafts fair in the Federal building regarding travel between lakes west of Kayigyalik Lake and east of Puk Palik Lake.

Anna (Beaver) originally from Anvil, home phone: 349-0144.

Anna is originally from Nunapitchuk but now lives in Anchorage. She was showing her work at the annual Native Arts and Crafts Fair on the first floor of the Federal Building. She is very familiar with travel between Takslesluk Lake and Puk Palik Lake. The river between the two lakes is called "Upper Agubiak River." Her dad had land at Noven Lake, one of the small lakes between the two larger lakes. Villagers have always traveled between the lakes in the spring, summer and fall. They even dug out a small river over which they could drag their boats to Noven lake. From here they boated through a series of smaller lakes and finally over a tram to Puk Palik Lake. Two possible areas for this tram are marked on the map for this project.

In spring they hunt muskrat and fish for pike. There were so many pike that often their nets would sink. In summer they pick salmon berries, blue berries, black berries and raspberries. In July all the families participated in a "duck drive" on Takslesluk Lake. The "duck drives" stopped in August. In fall, their house camps are either made of mud or a combination of mud and wood. The windows were made of pike skins which were skinned very thin and washed several times. About 15 pike skins sewed together made a window about 3' square. They sewed cloth along the edges before it was attached to a wood frame. From fall to December they hunted mink, otter, fox, weasel, muskrat. They hunted by boats. Sometimes they built special sleds with no sides to bring their boats back to the villages. Sometimes they left the boats at their camps.

Moses Wassilie of Nunapitchuk was here during the Arts and Crafts fair, home phone 333-3069. He lives in Anchorage and concurred with Anna Anvil's statements about travel between the lakes. Wassilie said in July many villagers would camp on the west side of Takslesluk Lake for a "duck drive." From here they would chase the ducks or drive the ducks by boat from the western shore to the eastern shore on Takslesluk Lake. Those that could not fly were caught. The duck drives stopped in August to allow the rest to escape.

Laura J. Lagdon 8/5/02

**NAVIGABILITY REPORT:
Unnamed tributary to Kayigyalik Lake
and
Its Left Bank Tributary**

Nunapitchuk 2001

BACKGROUND INFORMATION

Alexie Nicholas' allotment claim, F-16567, straddles the unnamed tributary about seven miles upstream in Secs. 9 and 10, T. 12 N., R. 74 W., SM. The following two Native allotment claims straddle a left bank tributary to the unnamed tributary in T. 12 N., R. 74 W., SM: Carl Thomas White, F-19128, in Secs. 10 and 11, and Billy Andrew, F-14386, Parcel B, in Secs. 1 and 12.

Local Name: Moses White of Nunapitchuk called the river "Autci'ghun" in the Yupik dialect that means in part "you go under something."¹ A study of the land and resource use of the "Akulmiur" or villagers from Kasigluk, Nunapitchuk and Atmautluak, by Elizabeth F. Andrews with the Alaska Department of Fish and Game, reported the name to be "Aciirun" which means the part of a river that runs under a bluff or cut bank.²

Nearest Settlement: Kayigyalik Lake lies 30 miles northwest of Bethel, Alaska.³

Length of Water Body: Tributary 20+ miles; Left bank tributary 12+ miles.

USGS Quadrangle(s) in selected area: Marshall A-1, A-2

Aerial Photo (s) in selected area: CIR 60, R. 7, July 1980, Frames 292, 360, 361.

Was the water body Photo Interpreted? Greg Balen, a photointerpreter with the Mapping Section, viewed the aerials and his remarks are reported below.

Was a Field Report/Interview Report prepared? An interview report was prepared March 21, 2001.

SUBMERGED LAND STATUS

In 1989, the BLM determined the unnamed tributary and its left bank tributary navigable for selected lands in Window 1836. Under T. 12 N., R. 74 W., SM, the determination read: "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-14386B in Sec. 12, and its left-bank tributary in Sec. 18 to the middle of Native allotment F-14968A. Stream (northernmost mouth in Sec. 24, T. 12 N., R. 75 W., SM) to and through Native allotment F-14256B in Sec. 7 and its tributary in Sec. 7 in Native allotment F-18198A."⁴

Township	Section Number	Mile approx.	Status and Remarks
12 N., R. 74 W.	9, 10	7	NA F-16567, YDNWR
12 N., R. 74 W.	10, 11	0	NA F-19128, YDNWR
12 N., R. 74 W.	1, 12	4	NA F-14386, Parcel B, YDNWR

PHYSICAL CHARACTERISTICS

Type of Water Body: River

Gradient: Minimal

Source	Bank to Bank Width	Mile
CIR 60, R. 7, July 1980, Frame 292	66'	0
CIR 60, R. 7, July 1980, Frame 292	100' - 130'	7 or through NA F-16567
CIR 60, R. 7, July 1980, Frame 292	66' - 165'	0 or through NA F-19128
CIR 60, R. 7, July 1980, Frame 292	closed off	NA F-14386, Parcel B

Source	Impediments (nature)	Mile
CIR 60, R. 7, July 1980, Frame 292	Grass in the middle of channel	0 - 7
Moses White	At the mouth or effluent into Kayigyalik Lake there is a very shallow area about 1,000 yards long; Beaver dams in the tributary.	0 - 7
Henry Parks	The mouth at Kayigyalik Lake is very shallow.	0
David Nicholas	The mouth at Kayigyalik Lake was shallow. Other villagers also have problems boating this area.	0
Billy Andrew	The mouth at Kayigyalik Lake is shallow. Beaver dams prevent him from reaching his allotments.	0

Source	Depth	Mile
Moses White	1' - August 2000 4' - 6'	0 0 - 7
Henry Parks	deep at the mouth for two weeks. 3' - 4'	0 7
David Nicholas	shallow at the mouth	0 - 7
Billy Andrew	3' deep at the mouth for one week	0

USES

Commercial: There is no evidence of past or present commercial boat traffic on this tributary.

Historical: Calista Corporation filed two 14 (h)(1) selection applications in October 1975 that share a boundary with Native Allotment F-16567. No field exam was conducted.⁵

Direct Evidence: The following information comes from telephone interviews with villagers who live in Kasigluk and Nunapitchuk. To reach their Native allotments and berry picking areas situated along these tributaries by boat, local residents cross cross Kayigyalik Lake in a northerly direction until they reach the north shore and the effluent of the unnamed tributary. Many say that crossing a shallow area about 1,000 yards long near the mouth of the unnamed tributary is difficult.

Alexie Nicholas' Native allotment claim, BLM case file F-16567, straddles the unnamed tributary about seven miles upstream in Secs. 9 and 10, T. 12 N., R. 74 W., SM. During the field exam of his parcel in July 1979, Nicholas told the field examiner that he used the lands for hunting and fishing. A tent frame was found on the lands claimed.⁶

David Nicholas, son of Alexie Nicholas of Kasigluk, took his family on a day trip to pick berries in a 16' Lund with 40-horsepower Yamaha propeller motor around the middle of August 2000. The unnamed tributary was deep but the mouth was shallow. He said other people had problems boating through the mouth because it is so shallow. At times he has used a 14' boat. Nicholas said if he had to haul 1,000 pounds of load, he would wait until winter because of the shallowness of the river at its effluent.⁷

Currently, Billy Andrew reaches both of his allotments that straddle a left bank tributary to the unnamed tributary by snowmachine in winter (BLM case file F-14386 Parcel B in Secs. 1, 12, T. 12 N., R. 74 W., SM near mile four and Parcel C in Secs. 35, 36, T. 13 N., R. 73 W., SM near mile seven). Two years ago near the end of July he attempted to take his wife and several children berry picking in a 16' Lund with 15-horsepower motor to an area near his allotments but

because of the shallow water and beaver dams he was forced to return to Nunapitchuk. In summer there is a shallow area at the mouth of the unnamed tributary that he passes through by paddling. Andrew does not boat the river in the fall because it is too shallow and there are too many beaver dams. Though the main river or unnamed tributary is deep, he does not believe that he could haul 1,000 pounds through the mouth except in spring and for only a short period, or about a week. During a recent telephone interview, Andrew said he traps mink between November and December and hunts muskrat in spring by boat. Sometimes he traps otter in the fall by snowmachine.⁸ In the BLM case file, F-14386, Parcels B and C, Andrew claimed these lands for trapping mink, muskrat, otter and fox.⁹

Last August 2000, Moses White of Nunapitchuk took his family berry picking near his father's allotment (Carl Thomas White, BLM case file F-19128 in Secs. 10-11, T. 12 N., R. 74 W., SM) in a 16' Lund with 40-horsepower motor. There was an area about 1,000 or more yards long at the lake edge near the effluent of the tributary where the water was about 1' deep. The bottom consisted of very soft mud. Two years ago in August it took him two or three hours to push and pull the boat through the mouth. White said beaver dams in the river are also a problem. In October before freeze-up he uses a 12' or 14' Lund with a 15-horsepower motor to reach his dad's allotment. Very few villagers boat the river because of the shallow area near the river's mouth. He was not aware of any historic or current commercial use.¹⁰

Henry Parks of Nunapitchuk said he had been up to Carl Thomas White's allotment often to pick berries, subsistence hunt and trap. Last summer around the third week of July he and his brother began building a small cabin on the allotment. Parks said he used an 18' aluminum boat with a 70-horsepower motor and for a precaution, tows a 12' aluminum boat with a 15-horsepower motor for the shallow areas. His load included three adults, one child and about 800 pounds. Parks said the mouth is always very shallow. During the spring when the ice is gone, the mouth is deep for about two weeks from the first to the middle of June or sometimes toward the end of June. It is deep enough for boats to carry a load of 1,000 pounds.¹¹

Mike Reardon, Yukon Delta National Wildlife Refuge Manager, Gene Peltola, Refuge Operations Specialist, and George Walters, a pilot, replied via E-mail that their office and law enforcement division have seen boats on the tributary, especially when people are picking berries. They have observed boats on the upland tundra.¹²

CONCLUSION

We find this unnamed tributary and its left bank tributary (mouth in Sec. 10) of Kayigyalik Lake non-navigable through Native allotment claims, Alexie Nicholas, case file F-16567, in Secs. 9 and 10, Carl Thomas White, case file F-19128, in Secs. 10 and 11, and Billy Andrew, case file F-14386, Parcel B, in Secs. 1 and 12 in T. 12 N., R. 74 W., SM. Moses White and Henry Parks of Nunapitchuk and David Nicholas of Kasigluk said a shallow area about 1,000 yards long near the mouth in Sec. 24, T. 12 N., R. 75 W., SM, prevents them and others from boating this tributary with large loads. Nicholas said if he had to haul a 1,000 pound load, he would wait

until winter when the river was frozen. To reach this area, White and Nicholas use 16' aluminum boats while Parks uses an 18' aluminum boat and tows a 12' boat for the shallower areas. Billy Andrew is unable to reach either of his allotments by boat because of the shallow water and beaver dams. The information gathered regarding the physical characteristics of the unnamed tributary and its left bank tributary indicate that the water bodies are not susceptible for use as a route for travel, trade and commerce.

Report Prepared By:

Laura J. Lupton

Date:

6/5/02

NOTES

1. Lagstrom, Laura, Interview Report, Nunapitchuk 2001, March 21, 2001, p.12.
2. Andrew, Elizabeth F., "The Akulmiut: Territorial Dimensions of a Yupik Eskimo Society, Technical Paper No. 177, Alaska Department of Fish and Game, Division of Subsistence, Juneau, Alaska, May 1989, p. 530.
3. Orth, Donald J., Dictionary of Alaska Place Names, U.S. Geological Survey Professional Paper 567 (Washington D.C.: GPO 1967), p. 505.
4. From Deputy State Director for Conveyance Management to Deputy State Director for Cadastral Survey, Navigable Waters in Group Survey 268 (Window 1836) May 8, 1989, Bureau of Land Management, Alaska State Office, Division of Cadastral Survey, Mapping Sciences, Navigability Section Files.
5. Regional Selection HP Casefiles AA-10129 and AA-10130, Bureau of Land Management, Alaska State Office, Docket, .
6. Native allotment case file F-16567, Bureau of Land Management, Alaska State Office, Docket.
7. Lagstrom, Laura, Interview Report, Nunapitchuk 2001, March 21, 2001, p. 13.
8. Ibid, p. 14.
9. Native allotment case file F-14386, Bureau of Land Management, Alaska State Office, Docket
10. Lagstrom, Laura, Interview Report, Nunapitchuk 2001, March 21, 2001, p. 12.
11. Ibid, pp. 12-13.
12. Ibid, pp. 15



**Takslesluk/Kayigyalik Lakes
Attachment 25**

United States Department of the Interior
BUREAU OF LAND MANAGEMENT
ALASKA STATE OFFICE
222 W. 7th Avenue, #13
ANCHORAGE, ALASKA 99513-7599

August 29, 2002

Baird Inlet-FY2001
Marshall-FY2001
Russian Mission-FY2001
F-16023 A (2561)¹
2628 (924)

Memorandum

To: Chief, Branch of Survey Preparation and Policy Interpretation (AK-925)

From: Chief, Branch of Mapping Sciences (AK-924)

Subject: Navigable Waters in Native Allotments Scheduled for Survey - Nunapitchuk 2001
(Group Surveys 254, 268 and 270)

This memorandum identifies navigable waters for unsurveyed Native allotments applications selected under the provisions of the Native Allotment Act of 1906. The BLM survey project named Nunapitchuk 2001, consisted of 107 Native allotment application parcels in 36 townships. The townships lie in the Yukon Delta National Wildlife Refuge.

The survey project is spread across a broad range northeasterly and northwesterly of Bethel between the Yukon and Kuskokwim rivers. A majority of the Native allotments abut the Johnson, Pikmiktalik and Kvichavak rivers, Israthorak Creek and two unnamed tributaries to Kayigyalik Lake. Only rivers and streams less than three chains in width and lakes less than fifty acres in size that cross or lie in the Native allotment parcels were reviewed. Tidal water bodies, lakes fifty acres or more in size, and rivers averaging 198' or more in width are not described because, regardless of their navigability status, they are meandered and segregated from the survey according to the Alaska Submerged Lands Act of 1988.

The information comes from a wide variety of sources including USGS maps, NASA aerial photographs, master title plats, easement and Native allotment files, prior navigability reports, interviews with local villagers and historical records including the Kuskokwim Regional Report by C. Michael Brown, titled "Alaska's Kuskokwim River Region: A History," 1985, and Elizabeth F. Andrews' six-year study of the land and resource uses of the villagers from Kasigluk, Nunapitchuk and Atmautluak titled, "The Akulmiut: Territorial Dimensions of a Yupik Eskimo Society," Alaska Department of Fish and Game, May 1989.

¹File in Native allotment case files F-19183, F-12116, F-16791, F-19236, F-19242, F-18308, F-19286, AA-37791, AA-37834, AA-52790, F-987, AA-51770, AA-53086, F-029215, F-18747, F-977, F-029208, F-029219, AA-37824, AA-55923, AA-51109, AA-37828, AA-37832, AA-52707.

After review, we found and prepared reports on nine potentially navigable water bodies less than the meanderable size on Native allotment claims. They are as follows: 1) Johnson River; 2) Left bank tributary of Johnson River; 3) Israthorak Creek; 4) Left bank tributary of Israthorak Creek; 5) Kvichavak River; 6) Right bank tributary of Kvichavak River; 7) Putu Creek; 8) Pikmiktalik River; and 9) Unnamed tributary of Kayigyalik Lake and its left bank tributary.

The unnamed tributary of Kayigyalik Lake and its left bank tributary were found non-navigable in the Native allotment applications for Alexie Nicholas, BLM Case file F-16567, Carl Thomas White, BLM Case file F-19128, and Billy Andrew, BLM Case file F-14386, Parcel B. On May 8, 1989, the BLM had determined these water bodies navigable for selected lands in Window 1836. The criteria regarded water bodies navigable if, at the time of Statehood, they were navigable for crafts larger than a one-person kayak. Telephone interviews with David Nicholas of Kasigluk, Billy Andrew and Moses White of Nunapitchuk revealed that a shallow area, about 1,000 yards long, near the effluent prevents them and others from boating the unnamed tributary with large loads. Nicholas said if he had to haul 1,000 pounds of load, he would wait until winter because of the shallow depth of the tributary at its effluent.

The BLM-Alaska's navigability determinations are based on Federal law of title navigability. Title to unreserved lands underlying navigable waters vested in the State at the time of statehood. As a general rule, inland waters are navigable if, at the time of statehood, they were used, or were susceptible to use, for travel, trade, and commerce. In a memorandum dated March 16, 1976, Associate Solicitor Hugh C. Garner summarized the Submerged Lands Act of 1953 (43 U.S.C. 1301) and Federal case law pertaining to title navigability. The Alaska Submerged Lands Act of 1988 (P.L. 100-395) provides specific direction regarding navigability determinations and survey meanders for land transfers under the Alaska Statehood Act, Alaska Native Claims Settlement Act, and the Native Allotment Act. Additional guidance is provided in *Appeal of Doyon, Ltd.*, Alaska Native Claims Appeal Board RLS 76-2, 86 I.D. 692 (1979) [Kandik and Nation Rivers]; *Alaska v. United States*, 754 F.2d 851 (9th Cir. 1983), *cert. denied*, 474 U.S. 968 (1985) [Slopbucket Lake]; *Alaska v. Ahma, Inc.*, 891 F.2d 1401 (9th Cir. 1989), *cert. denied*, 495 U.S. 919 (1990) [Gulkana River]; *United States v. Alaska*, Original No. 84 (1997) [Naval Petroleum Reserve No. 4]; and *Alaska v. United States*, No. 98-35310 (9th Cir. 2000) [Kukpowruk River].

The appendix lists the townships in the survey window and, for each township, the navigable and non-navigable waters in the Native allotment parcels. Following the appendix are site plot maps that show the navigable waters in the Native allotment claims.



Attachments (12)

- 1-Interview 3/2001 (16pp)
- 2-Interview 6/2001 (8pp)
- 3-field trip (2pp)
- 4-Nav report Johnson (8pp)
- 5-Nav report Left Johnson (4pp)
- 6-Nav report Israthorak Creek (8pp)
- 7-Nav report Left Israthorak Creek (5pp)
- 8-Nav report Kvichavak River(6pp)
- 9-Nav report right Kvichavak River (5pp)
- 10-Nav report Putu Creek (4pp)
- 11-Nav Report Píkmikatalik River (7pp)
- 12-Nav Report Kayigyalik Lake (6pp)

cc: Akiachak Native Community
P.O. Box 70
Akiachak, Alaska 99551

Village of Atmautluak
P.O. Box ATT
Atmautluak, Alaska 99559

Native Village of Kasigluk
P.O. Box 19
Kasigluk, Alaska 99609

Native Village of Nunapitchuk
P.O. Box 130
Nunapitchuk, Alaska 99641

Association of Village Council Presidents
P. O. Box 219
Bethel, AK 99559

Calista Corporation
Land Department
601 W. 5th Ave., Suite 200
Anchorage, Alaska 99501-2225

State of Alaska, DNR
Division of Mining Land and Water
Attn: Kathy Atkinson - Navigability Section
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Anchorage, Alaska 99501-3579

State of Alaska, DNR
Division of Mining Land and Water
Realty Services Section
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Anchorage, Alaska 99501-3579

State of Alaska, ADF&G
Habitat and Restoration Division
Attn: Ms. Robin Willis
333 Raspberry Road
Anchorage, Alaska 99518-1599

Mike Rearden, Refuge Manager
Yukon Delta National Wildlife Refuge
Post Office Box 346
Bethel, Alaska 99559-0346

U.S. Fish & Wildlife Service
Water Resources Branch, Region 7
Attn: Warren Keogh
1011 E. Tudor Road
Anchorage, Alaska 99503

Chief, Branch of Field Surveys (921)

Chief, Survey Data Research Section (933)

Chief, Survey Preparation Section (925)

Chief, Branch of Native Allotment Adjudication (964)

Northern Field Office (020)

Rodney Harvey (952)

Kathy Flippen (924)

Laura Lagstrom (924)

Appendix I

Seward River Meridian

T. 17 N., R. 64 W.

F-16023, Parcel B - No navigable waters.

T. 17 N., R. 65 W.

F-16020, Parcel A - No navigable waters.

F-16022, Parcel B - No navigable waters.

F-16023, Parcel A - Johnson River is navigable.

F-16023, Parcel B - No navigable waters.

AA-37840 - No navigable waters.

T. 14 N., R. 66 W.

F-19183 - Israthorak Creek is navigable.

T. 15 N., R. 66 W.

F-16205, Parcel B - No navigable waters.

T. 16 N., R. 66 W.

F-16020, Parcel A - No navigable waters.

F-16346, Parcel A - No navigable waters.

F-16346, Parcel B - No navigable waters.

F-17503, Parcel B - No navigable waters.

T. 17 N., R. 66 W.

F-16019, Parcel A - No navigable waters.

T. 14 N., R. 67 W.

F-12116 - Píkmíktalik River is navigable.

F-16791 - Píkmíktalik River is navigable.

F-19236 - Israthorak Creek is navigable

T. 15 N., R. 67 W.

F-13184 - No navigable waters.

F-09964, Parcel A - No navigable waters.

T. 16 N., R. 67 W.

F-13184 - No navigable waters.

F-14183 - No navigable waters.

F-14184 - No navigable waters.

F-19199 - No navigable waters.

T. 17 N., R. 67 W.

F-16363, Parcel B - No navigable waters.

T. 13 N., R. 68 W.

AA-37822 - No navigable waters.

T. 14 N., R. 68 W.

AA-37785 - No navigable waters.

AA-37822 - No navigable waters.

F-19242 - Right bank tributary of Kvichavak River is navigable.

T. 15 N., R. 68 W.

F-14182 - No navigable waters.

T. 13 N., R. 69 W.

F-09910 - No navigable waters.

F-18308 - Israthorak Creek is navigable

F-19286 - Israthorak Creek is navigable

AA-37784 - No navigable waters.

T. 14 N., R. 69 W.

AA-37791 - Right bank tributary of Kvichavak River is navigable.

AA-37823 - No navigable waters.

AA-37834 - Kvichavak River and its right bank tributary are navigable.

AA-37835 - No navigable waters.

AA-37836 - No navigable waters.

AA-37845 - No navigable waters.

AA-52790 - Right bank tributary of Kvichavak River is navigable.

F-029220 - No navigable waters.

F-987 - Right bank tributary of Kvichavak River is navigable.

T. 16 N., R. 69 W.

AA-37839 - No navigable waters.

T. 12 N., R. 70 W.

AA-51770 - Israthorak Creek is navigable

AA-53086 - Israthorak Creek is navigable.

F-09910 - No navigable waters.

F-19286 - Israthorak Creek is navigable.

F-29209 - No navigable waters.

F-029105, Parcel A - No navigable waters.

F-029215, Parcel B - Left Bank Tributary of Israthorak Creek is navigable.

F-18747 - Israthorak Creek is navigable.

F-09910 - No navigable waters.

T. 13 N., R. 70 W.

AA-37827 - No navigable waters.

AA-51772 - No navigable waters.

F-977, Parcel A - Pikmiktalik River is navigable/meanderable.

F-19286 - Israthorak Creek is navigable.

T. 14 N., R. 70 W.

AA-37827 - No navigable waters.

AA-50579 - No navigable waters.

F-029208 - Kvichavak River is navigable.

F-029219, Parcel A - Kvichavak River is navigable.

T. 12 N., R. 71 W.

AA-37829 - No navigable waters.

T. 13 N., R. 71 W.

AA-37824 - Left Bank Tributary of Johnson River is navigable/meanderable.

AA-55923 - Left Bank Tributary of Johnson River is navigable/meanderable.

AA-51109 - Left Bank Tributary of Johnson River is navigable.

AA-37826 - No navigable waters.

AA-37828 - Kvichavak River is navigable.

AA-37830 - No navigable waters.

F-029992 - No navigable waters.

F-09612 - No navigable waters.

F-13305 - Left Bank Tributary of Johnson River is navigable/meanderable.

T. 14 N., R. 71 W.

AA-37825 - No navigable waters.

AA-37838 - No navigable waters.

T. 15 N., R. 71 W.

AA-37831, Parcel B - No navigable waters.

AA-37832 - Johnson River is navigable.

T. 12 N., R. 72 W.

AA-56432, Parcel C - No navigable waters.

F-14255, Parcel A - No navigable waters.

F-16602 - No navigable waters.

F-16841 - No navigable waters.

T. 15 N., R. 72 W.

AA-37833 - No navigable waters.

AA-52707 - Putu Creek is navigable.

T. 11 N., R. 73 W.

F-029803 - No navigable waters.

T. 12 N., R. 73 W.

F-968 - No navigable waters.

F-14394 - No navigable waters.

F-15756, Parcel A - No navigable waters.

F-15756, Parcel B - No navigable waters.

F-16599, Parcel C - No navigable waters.

F-16599, Parcel D - No navigable waters.

F-16841 - No navigable waters.

T. 13 N., R. 73 W.

F-14386, Parcel C - No navigable waters.

F-18975 - No navigable waters.

T. 9 N., R. 74 W.

F-14963, Parcel C - No navigable waters.

T. 10 N., R. 74 W.

F-14981, Parcel D - No navigable waters.

T. 12 N., R. 74 W.

F-13235 - No navigable waters.

F-14234 - No navigable waters.

F-14235 - No navigable waters.

F-14236 - No navigable waters.

F-14255, Parcel B - No navigable waters.

F-14256, Parcel B - No navigable waters.

F-14386, Parcel A - No navigable waters.

F-14386, Parcel B - No navigable waters.

F-14961, Parcel A - No navigable waters.

F-14963, Parcel A - No navigable waters.

F-14968, Parcel A - No navigable waters.

F-14982, Parcel B - No navigable waters.

F-16567 - No navigable waters.

F-17410 - No navigable waters.

F-18011 - No navigable waters.

F-18198, Parcel A - No navigable waters.

F-18819 - No navigable waters.

F-19128 - No navigable waters.

T. 13 N., R. 74 W.

F-029819 - No navigable waters.

T. 12 N., R. 75 W.

F-13204 - No navigable waters.

F-14238 - No navigable waters.

F-14253, Parcel A - No navigable waters.

F-14962, Parcel A - No navigable waters.

F-14963, Parcel A - No navigable waters.

T. 12 N., R. 77 W.

AA-56432, Parcel A - No navigable waters.

F-14980, Parcel A - No navigable waters.

F-17396 - No navigable waters.

F-17532 - No navigable waters.

T. 11 N., R. 79 W.

F-18869, Parcel B - No navigable waters.

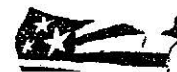
T. 11 N., R. 80 W.

F-18869, Parcel B - No navigable waters.



United States Department of the Interior

PAADS

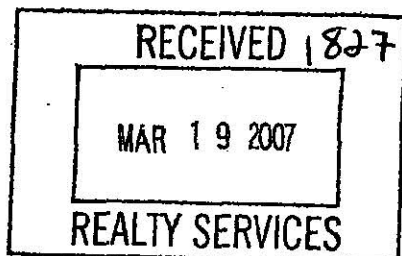


BUREAU OF LAND MANAGEMENT

Alaska State Office

222 W. Seventh Avenue, #13
Anchorage, Alaska 99513-7504
<http://www.blm.gov/ak>

**Takslesluk/Kayigyalik Lakes
Attachment 26**



9600 (927) rss/klf

Baird Inlet-VS-FY2007
Bethel-VS-FY 2007
Marshall-VS-FY 2007
F-14835-A (2651)¹

MAR 16 2007

GS 1593

05L 154, 1174, 1191, 1274, 21
40, 170, 270, 355, 364, 388
L 455, 1190, 1330, 157, 217
963, 118, 256, 665, 1269
1270, 667, 988, 1167
LSH 154, 158, 218, 1272
449, 120

Memorandum

To: Chief, Branch of Survey Planning and Preparation (927)
From: Chief, Navigability Section (927)
Subject: Navigable Waters within Survey Group Nos. 140, 268, and 284

Introduction

This memorandum identifies navigable waters on certain surveyed and unsurveyed lands within sixty-six (66) townships, including pending ANCSA-selected and Interim-Conveyed lands within Survey Group Nos. 140, 268, and 284 located in the Calista Region. These lands, located within the Yukon Delta National Wildlife Refuge, encompass multiple village areas consisting of Atmaultuak, Bethel, Kasigluk, Kwethluk, Napakiak, Napaskiak, Nunapitchuk, and Oscarville. 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 66 townships addressed by this report. For each township, the navigable waters, if any, are identified and previous navigability determinations are referenced. Navigability determinations have been made for all of the townships in the Appendix. This document serves to affirm those earlier reports. 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.

¹ F-14835-A2 (2651), F-14838-A (2651), F-14838-A2 (2651), F-14873-A (2651), F-14873-A2 (2651), F-14883-A (2651), F-14883-A2 (2651), F-14901-A (2651), F-14901-A2 (2651), F-14902-A (2651), F-14902-A2 (2651), F-14914-A (2651), F-14914-A2 (2651), F-14916-A (2651), F-14916-A2 (2651), F-14835-EE (75.04), F-14838-EE (75.04), F-14873-EE (75.04), F-14883-EE (75.04), F-14901-EE (75.04), F-14902-EE (75.04), F-14914-EE (75.04), F-14916-EE (75.04)

The Appendix lists Kayigyalik Lake as navigable within Secs. 1-4, 6-11, 14-23, 26-31, and 33-35, T. 11 N., R. 74 W., and Secs. 1 and 12, T. 10 N., R. 75 W., Seward Meridian, and cited the Decision to Approve for Interim Conveyance or Patent (DIC) of July, 25, 1980. Although the subject land description was not included in the DIC, a portion of lands encompassing the navigable lake were included in the decision and a statement that Kayigyalik Lake had been determined navigable.

The Navigability Determination of May 8, 1989, containing navigability information for the villages of Atnautluak, Kasigluk, Nunapitchuk, Bethel, and Kwethluk, within the review area was not used in this report. As the subject document identified navigable water bodies on ANCSA-selected lands based on aerial photo interpretation, we are deferring to the original navigability determinations which were based on travel, trade and commerce.

Lands within T. 7 N., R. 68 W., Seward Meridian, were not included in this report. This township will be addressed at a later date.

Spelling Discrepancies

Upon reviewing previous navigability determinations, navigability maps, and USGS Quadrangle Maps for two village areas, we found a discrepancy in the spelling of a large lake found navigable. The determinations and accompanying navigability maps for the villages of Kasigluk and Nunapitchuk referred to the subject navigable water body as Kyigayalik Lake. However, the majority of USGS Quadrangle Maps referred to the water body as Kayigyalik Lake. We used the Kayigyalik spelling in our Appendix, as this was the correct spelling according to the Dictionary of Alaska Place Names (United States Department of the Interior, Geological Survey Professional Paper 567).

We also found a discrepancy in the spelling of a river found navigable within certain lands selected by Napakiak and Nunapitchuk. The determination of December 16, 1998, referred to the subject waterway as the Kutukhum River. The USGS Quadrangle Maps referred to the waterway as the Kutukhun River. We used the Kutukhum spelling in our Appendix, as this was the correct spelling according to the Dictionary of Alaska Place Names (United States Department of the Interior, Geological Survey Professional Paper 567).

Survey Information

Final entitlement survey is scheduled for these lands in FY-2007. Approximately half the townships listed in the Appendix have been surveyed. The survey plats have been reviewed in accordance with the navigability determinations from previous reports and from the ANCSA Sec. 17(b) quadrangles affecting IC'd lands. The survey plats appear to accurately depict the navigable water bodies; therefore, no supplemental plats are required.

Criteria

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.

Dannica 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
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
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Bethel, Alaska 99559

Atmaultluak, Ltd.
P.O. BOX 6548
Atmaultluak, Alaska 99559-9999

Bethel Native Corporation
P.O. Box 719
Bethel, Alaska 99559-0719

Kasigluk, Incorporated
P.O. Box 39
Kasigluk, Alaska 99609-0039

Kwethluk, Incorporated
P.O. Box 109
Kwethluk, Alaska 99621

Napakiak Corporation
P.O. Box 34030
Napakiak, Alaska 99634-0030

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

Nunapitchuk, Ltd.
P.O. Box 129
Nunapitchuk, Alaska 99641

Oscarville Native Corporation
General Delivery
Oscarville, Alaska 99559

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 Nos. 140, 268, and 284

Groups 140, 268, and 284 (Field packets)

Dominica Van Koten (927)

K. J. Mushovic (961)

Appendix

Navigable Waters Within Lands Encompassing Group Survey Nos. 140, 268, and 284

Seward Meridian, Alaska

T. 6 N., R. 67 W.

Secs. 1-3, 6, 7, 10-15, 18, 19, 23-26, 29, 30, 32, 33, 35, and 36
No navigable waters (12/17/75)

Secs. 4, 5, 8, 9, 16, 17, 20-22, 27, 28, 31, and 34 (IC 213)
No navigable waters (DIC of 03/07/79)

T. 7 N., R. 67 W.

Secs. 8-10, 13-16, 21-27, 31, and 34-36
No navigable waters (12/17/75)

Secs. 1-7, 11, 12, 17-20, 28-30, 32, and 33 (IC 213)
No navigable waters (DIC of 03/07/79)

T. 8 N., R. 67 W.

Secs. 15, 16, and 21-28
No navigable waters (12/17/75)

Secs. 5-9, 17-20, and 29-36 (IC 213)
No navigable waters (DIC of 03/07/79)

T. 6 N., R. 68 W.

Secs. 17-21 and 27-34
No navigable waters (12/17/75)

Secs. 1-16, 22-26, 35, and 36 (IC 213)
No navigable waters (DIC of 03/07/79)

T. 8 N., R. 68 W.

Secs. 1-36 (IC 213)
No navigable waters (DIC of 03/07/79)

T. 9 N., R. 68 W.Secs. 22-36 (IC 213)

Kuskokuak Slough (DIC of 03/07/79)

T. 5 N., R. 69 W.Secs. 1-3, 8-17, and 20

No navigable waters (02/02/82 as amended 10/14/82)

Secs. 4-7, 18, and 19

No navigable waters (02/02/82 as amended 10/15/82)

T. 6 N., R. 69 W.Secs. 1-28, 30, and 34-36

No navigable waters (02/02/82 as amended 10/14/82)

Secs. 31 and 32

No navigable waters (02/02/82 as amended 10/15/82)

T. 7 N., R. 69 W.Secs. 4-10 and 14-36

No navigable waters (02/02/82 as amended 10/14/82)

Secs. 1-3 and 11-13 (IC 213)

No navigable waters (DIC of 03/07/79)

T. 8 N., R. 69 W.Secs. 1-36 (IC 213)

Kuskokwim River and Kuskokuak Slough (DIC of 03/07/79)

Secs. 17, 21, 22, 27, and 28 (IC 790)

No navigable waters (DIC of 03/07/79)

T. 9 N., R. 69 W.Secs. 25-27 and 34-36 (IC 213)

Kuskokwim River and Kuskokuak Slough (DIC of 03/07/79)

T. 5 N., R. 70 W.Secs. 17 and 18

No navigable waters (02/02/82 as amended 10/14/82)

Secs. 1-3, 10-15, and 19-36 (IC 633)

No navigable waters (02/02/82 as amended 10/15/82)

Secs. 5-8 (IC 675)

No navigable waters (02/02/82 as amended 10/14/82)

T. 6 N., R. 70 W.Secs. 1-36 (IC 675)

No navigable waters (02/02/82 as amended 10/14/82)

L914 154
05L 877

T. 7 N., R. 70 W.Secs. 1-36 (IC 675)

No navigable waters (02/02/82 as amended 10/14/82)

T. 8 N., R. 70 W.Secs. 5-8, 17-20, and 29-32 (IC 142)**Kuskokwim River, Church Slough, and Tupuknuk Slough** (DIC of 08/30/78)Secs. 1-4, 9-16, 21-28, and 33-36 (IC 213)**Kuskokwim River, Kuskokuak Slough, Church Slough, and Tupuknuk Slough** (DIC of 03/07/79)Sec. 11 (IC 790)**Kuskokwim River and Kuskokuak Slough** (DIC of 03/07/79)**T. 5 N., R. 71 W.**Secs. 13-15, 24, and 25**Eek Lake** (02/02/82 as amended 10/14/82)Secs. 31-36 (IC 633)**Eek Lake and an unnamed waterway** commencing at Eek Lake in Sec. 32 traversing southwesterly to the Eenayarak River in Sec. 18, T. 4 N., R. 72 W., Seward Meridian (02/02/82 as amended 10/15/82)Secs. 2-4 and 9-12 (IC 675)**Eek Lake** (02/02/82 as amended 10/14/82)**T. 6 N., R. 71 W.**Secs. 1-36 (IC 633)**Unnamed stream** from its mouth at the Kuskokwim River in Sec. 1, T. 6 N., R. 73 W., Seward Meridian, easterly to the east boundary of Sec. 25, T. 7 N., R. 71 W., Seward Meridian (02/02/82 as amended 10/15/82)**T. 7 N., R. 71 W.**Secs. 1 (NW $\frac{1}{4}$ NW $\frac{1}{4}$) and 2 (NE $\frac{1}{4}$ NE $\frac{1}{4}$)

No navigable waters (02/02/82 as amended 10/14/82)

Secs. 8-17, 20-26, and 36 (IC 633)**Kuskokwim River, Napaskiak Slough, Tupuknuk Slough, and an unnamed stream** from its mouth at the Kuskokwim River in Sec. 1, T. 6 N., R. 73 W., Seward Meridian, easterly to the east boundary of Sec. 25, T. 7 N., R. 71 W., Seward Meridian (02/02/82 as amended 10/15/82)Secs. 1-7, 18, 19, and 27-35 (IC 675)**Kuskokwim River, Napaskiak Slough, Tupuknuk Slough, and an unnamed stream** from its mouth at the Kuskokwim River in Sec. 1, T. 6 N., R. 73 W., Seward Meridian, easterly to the east boundary of Sec. 25, T. 7 N., R. 71 W., Seward Meridian (02/02/82 as amended 10/14/82)

LSH 158
 LSH 218
 OSL 1174, 1191, 1274

T. 8 N., R. 71 W.

Secs. 1-7 and 9-36 (IC 142)

Kuskokwim River, Tupuknuk Slough, Steamboat Slough, and Straight Slough (DIC of 08/30/78)

Secs. 9, 10, 18, 25, 35, and 36 (IC 851)

Kuskokwim River and Tupuknuk Slough (DIC of 09/19/83 as amended 11/01/83)

Sec. 18 (IC 1199)

No navigable waters (DIC of 05/22/86)

Sec. 18 (IC 1203)

No navigable waters (DIC of 05/22/86 as amended 06/17/86)

T. 5 N., R. 72 W.

Secs. 1-36 (IC 633)

Eek-Eenayarak-Kuskokwim Portage (02/02/82 as amended 10/15/82)

T. 6 N., R. 72 W.

Secs. 1-36 (IC 633)

Kuskokwim River, Eek-Eenayarak-Kuskokwim Portage, and an unnamed stream from its mouth at the Kuskokwim River in Sec. 1, T. 6 N., R. 73 W., easterly to the east boundary of Sec. 25, T. 7 N., R. 71 W., Seward Meridian (02/02/82 as amended 10/15/82)

T. 7 N., R. 72 W.

Secs. 1-4, 8-10, 16, and 17

Kuskokwim River (01/25/82 as amended 10/26/82)

Secs. 5-7, 11-15, and 18-36 (IC 616)

Kuskokwim River and an unnamed stream from its mouth at the Kuskokwim River in Sec. 1, T. 6 N., R. 73 W., easterly to the east boundary of Sec. 25, T. 7 N., R. 71 W., Seward Meridian (01/25/82 as amended 10/26/82)

Sec. 17 (IC 669)

Kuskokwim River (01/25/82 as amended 10/26/82)

Secs. 17 and 20 (IC 784)

Kuskokwim River (01/25/82 as amended 10/26/82)

T. 8 N., R. 72 W.

Secs. 1-36 (IC 142)

No navigable waters (DIC of 08/30/78)

Secs. 14 and 15 (IC 1201)

No navigable waters (DIC of 05/22/86)

Sec. 13 (IC 1203)

No navigable waters (DIC of 05/22/86 as amended 06/17/86)

GS 1593
 OSL 81, 40, 170, 270, 355
 364, 388, 455
 1190, 1330

GS 1593
 LSH 449,
 OSL 270, 355

LSH 157, 217
 OSL 1272

GS 1593
 LSH 449
 OSL 270, 963

Secs. 11 and 14 (IC 1418)
No navigable waters (DIC of 09/22/88)

Sec. 12 (IC 1476)
No navigable waters (DIC of 07/16/90)

T. 9 N., R. 72 W.
Secs. 3-10, 15-22, and 27-33 (IC 448)
Kongeruk River (05/28/81)

Secs. 34 and 35 (IC 616)
No navigable waters (01/25/82 as amended 10/26/82)

T. 10 N., R. 72 W.
Secs. 3-10, 15-22, and 27-34 (IC 448)
Pikmiktalik River (05/28/81)

T. 11 N., R. 72 W.
Secs. 3-9, 15-22, 27, and 28
Pikmiktalik River (05/28/81)

Secs. 29-34 (IC 448)
Pikmiktalik River (05/28/81)

T. 5 N., R. 73 W.
Secs. 19-36
No navigable waters (01/25/82 as amended 10/26/82)

Secs. 1-18 (IC 633)
Lomavik Slough (02/02/82 as amended 10/15/82)

T. 6 N., R. 73 W.
Secs. 1-4, 9-24, 29, and 30
Kuskokwim River, Lomavik Slough, unnamed stream from its mouth at the Kuskokwim River in Sec. 1, T. 6 N., R. 73 W., easterly to the east boundary of Sec. 25, T. 7 N., R. 71 W., Seward Meridian, and Eek-Eenayarak-Kuskokwim Portage (01/25/82 as amended 10/26/82, and easement map Baird Inlet C-1 dated 01/05/83)

Secs. 5 and 6 (IC 616)
Kuskokwim River (01/25/82 as amended 10/26/82)

Secs. 25-28 and 31-36 (IC 633)
Lomavik Slough and Eek-Eenayarak-Kuskokwim Portage (02/02/82 as amended 10/15/82)

T. 7 N., R. 73 W.
Sec. 27 (Lot 4, U.S. Survey No. 11839)
Kuskokwim River (01/25/82 as amended 10/26/82)

Secs. 1-36 (IC 616)

Kuskokwim River, Johnson River, and Kongeruk River (01/25/82 as amended 10/26/82)

T. 8 N., R. 73 W.

Secs. 10 and 11

Unnamed slough and lake system from Sec. 5, T. 8 N., R. 73 W., northerly, then easterly, then southerly to the Kongeruk River in Sec. 15, T. 8 N., R. 73 W., Seward Meridian (01/25/82 as amended 10/26/82)

Secs. 4-8 (IC 448)

Kongeruk River, unnamed slough and lake system from the Pikmiktalik River in Sec. 1, T. 8 N., R. 74 W., to its confluence with the Kongeruk River in Sec. 29, T. 8 N., R. 73 W., Seward Meridian, and an **unnamed slough and lake system** from Sec. 5, T. 8 N., R. 73 W., downstream to the Kongeruk River's confluence with the Johnson River in Sec. 6, T. 7 N., R. 73 W., Seward Meridian (05/28/81)

Secs. 1-3 and 9-36 (IC 616)

Johnson River, Kongeruk River, unnamed slough and lake system from the Pikmiktalik River in Sec. 1, T. 8 N., R. 74 W., northerly, then southerly to its confluence with the Kongeruk River in Sec. 29, T. 8 N., R. 73 W., Seward Meridian, and an **unnamed lake and slough system** from Sec. 5, T. 8 N., R. 73 W., northerly, then easterly, then southerly to the Kongeruk River in Sec. 15, T. 8 N., R. 73 W., Seward Meridian (01/25/82 as amended 10/26/82)

T. 9 N., R. 73 W.

Secs. 1-36 (IC 448)

Johnson River, Pikmiktalik River, unnamed slough and lake system from the Pikmiktalik River in Sec. 1, T. 8 N., R. 74 W., to its confluence with the Kongeruk River in Sec. 29, T. 8 N., R. 73 W., Seward Meridian, and an **unnamed lake system** between the Johnson and Pikmiktalik Rivers within Secs. 7, 8, 17-19, 20, 21, and 27-33, T. 9 N., R. 73 W., Seward Meridian (05/28/81)

T. 10 N., R. 73 W.

Secs. 19 and 29-32

Pikmiktalik River and an unnamed lake system between Nunavakanukakslak Lake and the Johnson River in Sec. 31, T. 10 N., R. 73 W., Seward Meridian (05/22/80 as amended 03/10/82)

Secs. 1-18, 20-28, and 33-36 (IC 448)

Pikmiktalik River and an unnamed slough and lake system joining the Pikmiktalik River in Secs. 4 and 8, T. 10 N., R. 73 W., Seward Meridian (05/28/81)

T. 11 N., R. 73 W.

Secs. 1-24

Johnson River, Pikmiktalik River, and an unnamed slough and lake system between the Johnson and Pitmiktalik Rivers joining the Pikmiktalik River in Sec. 24, T. 11 N., R. 73 W., Seward Meridian (05/28/81)

Secs. 25-36 (IC 448)

Pikmiktalik River and an unnamed slough and lake system between the Johnson and Pikmiktalik Rivers (05/28/81)

T. 5 N., R. 74 W.

Secs. 5, 7, 8, 17-19, 23-27, and 33-36

Kuskokwim River (01/25/82 as amended 10/26/82)

Secs. 1, 2, 6, and 11-14 (IC 616)

Kuskokwim River and Lomavik Slough (01/25/82 as amended 10/26/82)

T. 6 N., R. 74 W.

Secs. 2-5, 8, 17, 20, 29, and 32

Kuskokwim River (01/25/82 as amended 10/26/82)

Sec. 1, 6, 7, 9-12, 15, 16, 18, 19, 21, 24-26, 28, 30, 31, 33, 35, and 36 (IC 616)

Kuskokwim River and Lomavik Slough (01/25/82 as amended 10/26/82)

T. 7 N., R. 74 W.

Secs. 34-36

Interconnecting slough of the Kuskokwim/Johnson Rivers (01/25/82 as amended 10/26/82)

Secs. 1-33 (IC 616)

Johnson River (01/25/82 as amended 10/26/82)

T. 8 N., R. 74 W.

Secs. 1-4, 9-12, 14-16, and 21-23 (IC 448)

Johnson River, Pikmiktalik River, unnamed slough and lake system from the Pikmiktalik River in Sec. 1, T. 8 N., R. 74 W., northerly, then southerly to its confluence with the Kongeruk River in Sec. 29, T. 8 N., R. 73 W., Seward Meridian, and an unnamed lake system between the Johnson and Pikmiktalik Rivers in Secs. 2, 3, 4, and 10, T. 8 N., R. 74 W., Seward Meridian (05/28/81)

Secs. 5-8 and 17-20 (IC 485)

Johnson River (05/22/80 as amended 03/10/82)

Secs. 13 and 24-36 (IC 616)

Johnson River and Pikmiktalik River (01/25/82 as amended 10/26/82)

T. 9 N., R. 74 W.

Secs. 1-36 (IC 485)

Johnson River, Pikmiktalik River, unnamed slough flowing from an unnamed lake in Sec. 31, T. 10 N., R. 74 W., to its confluence with Johnson River in Secs. 16 and 17, T. 9 N., R. 74 W., Seward Meridian, unnamed slough flowing from Nunavakanukakslak Lake in Sec. 28, T. 10 N., R. 74 W., to its confluence with an unnamed slough near the village of Nunapitchuk in Sec. 5, T. 9 N., R. 74 W., Seward Meridian, unnamed slough (canal) and lake system from the unnamed slough near the village of Nunapitchuk in Sec. 6, T. 9 N., R. 74 W., Seward Meridian, to its confluence with the Johnson River at

the village of Kasigluk, and an **unnamed lake system** between Nunavakanukakslak Lake and the Johnson River in Secs. 1-3, 10-15, 23-26, and 36, T. 9 N., R. 74 W., Seward Meridian (05/22/80 as amended 03/10/82).

T. 10 N., R. 74 W.

Secs. 1 and 2

Nunavakanukakslak Lake (05/22/80 as amended 03/10/82)

Secs. 3-36 (IC 485)

Nunavakanukakslak Lake, unnamed lake in Secs. 4-8 and 18, T. 10 N., R. 74 W., Seward Meridian, **unnamed slough** flowing from unnamed lake in Sec. 7 to its confluence with the Johnson River in Sec. 17, T. 10 N., R. 74 W., Seward Meridian, **unnamed lake** in Secs. 19, 20, and 29-32, T. 10 N., R. 74 W., Seward Meridian, **unnamed slough** flowing from unnamed lake in Sec. 31, T. 10 N., R. 74 W., to its confluence with the Johnson River in Secs. 16 and 17, T. 9 N., R. 74 W., Seward Meridian, **unnamed slough** flowing from Nunavakanukakslak Lake in Sec. 28, T. 10 N., R. 74 W., to its confluence with unnamed slough near the village of Nunapitchuk in Sec. 5, T. 9 N., R. 74 W., Seward Meridian, **unnamed lake system** between Nunavakanukakslak Lake and Johnson River in Secs. 34-36, T. 10 N., R. 74 W., Seward Meridian, and an **unnamed slough and lake system** in Secs. 16, 17, 20, 21, 28 and 29, T. 10 N., R. 74 W., Seward Meridian (05/22/80 as amended 03/10/82)

T. 11 N., R. 74 W.

Secs. 1-4, 6-11, 14-23, 26-31, and 33-35

Kayigyalik Lake and Johnson River (DIC of 07/25/80)

Secs. 13 and 24

Johnson River (05/28/81)

Secs. 25 and 36 (IC 448)

Johnson River and an **unnamed slough and lake system** between Johnson and Pikmiktalik Rivers joining Johnson River in Sec. 25, T. 11 N., R. 74 W., Seward Meridian (05/28/81)

T. 7 N., R. 75 W.

Secs. 1-36 (IC 485)

No navigable waters (05/22/80 as amended 03/10/82)

T. 8 N., R. 75 W.

Sec. 2

No navigable waters (05/22/80 as amended 03/10/82)

Secs. 1-5, 8-17, and 20-36 (IC 485)

Nunavakpak Lake and unnamed slough and lake within Secs. 3-5, 9, and 10, T. 8 N., R. 75 W., Seward Meridian (05/22/80 as amended 03/10/82)

LSH 289

OSL 1167

T. 9 N., R. 75 W.Secs. 2-12, 14-28, and 34-36 (IC 595)

Nunavakpak Lake, Johnson River, unnamed slough and lake system flowing from Kayigyalik Lake to its confluence with the Johnson River at Kasigluk (traverses Secs. 2, 3, and 11), and an **unnamed slough (canal) and lake system** from the unnamed slough near the village of Nunapitchuk to its confluence with Johnson River at the village of Kasigluk (05/26/81)

Secs. 1 and 13 (IC 678)

Johnson River, unnamed slough and lake system in Sec. 1, T. 9 N., R. 75 W., Seward Meridian, and an **unnamed slough (canal) and lake system** from the unnamed slough near the village of Nunapitchuk to its confluence with Johnson River at the village of Kasigluk (05/26/81)

T. 10 N., R. 75 W.Secs. 1 and 12

Kayigyalik Lake (DIC of 07/25/80)

Sec. 15

Kayigyalik Lake and an **unnamed slough and lake system** flowing from Kayigyalik Lake to its confluence with Johnson River at Kasigluk (05/26/81)

Secs. 6-9, 13, 14, and 16-36 (IC 595)

Kayigyalik Lake, Johnson River, unnamed slough and lake system from just north of the abandoned site of Nunachuk in Sec. 22, T. 10 N., R. 75 W., upstream to where it flows from Nunavakpak Lake in Sec. 28, T. 9 N., R. 76 W., Seward Meridian, **unnamed slough and lake system** flowing from Kayigyalik Lake to its confluence with Johnson River at Kasigluk, **unnamed slough and lake system** lying between the aforementioned unnamed slough and Johnson River in Secs. 14, 21-23, 25-28, 34, and 35, T. 10 N., R. 75 W., Seward Meridian, and an **unnamed slough and lake system** in Secs. 25 and 36, T. 10 N., R. 75 W., Seward Meridian (05/26/81)

T. 11 N., R. 75 W.Secs. 4-8, 14-18, 24, 25, and 36

Kayigyalik Lake (DIC of 07/25/80)

Secs. 19-23 and 28-32

Kayigyalik Lake (05/26/81)

T. 6 N., R. 76 W.Secs. 4-9, 16-22, and 27-34

Kutukhum River in Secs. 16, 22, and 27 and **right bank tributary** of Kutukhum River from its mouth in Sec. 22 to where it merges with a lake in Sec. 21, T. 6 N., R. 76 W., Seward Meridian (12/16/98)

T. 7 N., R. 76 W.**Secs. 28-36**

Kutukhum River in Secs. 28, 29, and 31-34 to its juncture with the right and left bank tributaries in Sec. 31, T. 7 N., R. 76 W., Seward Meridian (12/16/98)

Secs. 1-27 (IC 485)

Unnamed slough beginning in Sec. 1, T. 7 N., R. 76 W., flowing into Nunavakpak Lake in Sec. 26, T. 8 N., R. 76 W., Seward Meridian (05/22/80 as amended 03/10/82)

T. 8 N., R. 76 W.**Secs. 19, 20, and 25-36 (IC 485)**

Nunavakpak Lake and **unnamed slough** beginning in Sec. 1, T. 7 N., R. 76 W., flowing into Nunavakpak Lake in Sec. 26, T. 8 N., R. 76 W., Seward Meridian (05/22/80 as amended 03/10/82)

T. 9 N., R. 76 W.**Secs. 1-24 and 27-33 (IC 595)**

Nunavakpak Lake and **unnamed slough and lake system** from Sec. 22, T. 10 N., R. 75 W., upstream to where it flows from Nunavakpak Lake in Sec. 28, T. 9 N., R. 76 W., Seward Meridian (05/26/81)

T. 10 N., R. 76 W.**Secs. 1-36 (IC 595)**

Unnamed slough and lake system from Sec. 22, T. 10 N., R. 75 W., upstream to where it flows from Nunavakpak Lake in Sec. 28, T. 9 N., R. 76 W., Seward Meridian (05/26/81)

T. 11 N., R. 76 W.**Secs. 1, 2, and 11-14**

No navigable waters (05/22/80 as amended 03/10/82)

Secs. 19-36

No navigable waters (05/26/81)

T. 6 N., R. 77 W.**Secs. 1-36**

Meroyuk River in Secs. 5, 6, 8, 16, 17, 21, 22, 27, 28, 34, and 35 and its **right bank tributary** in Sec. 6, T. 6 N., R. 77 W., Seward Meridian (12/16/98)

T. 7 N., R. 77 W.**Secs. 1-36**

Meroyuk River and its **left and right bank tributaries** in Sec. 31, T. 7 N., R. 77 W., Seward Meridian (12/16/98)

T. 8 N., R. 77 W.**Secs. 35 and 36**

No navigable waters (05/26/81)

Secs. 3-11 and 13-34 (IC 595)
Nunavakpak Lake (05/26/81)

T. 9 N., R. 77 W.

Secs. 4-9, 16-21, and 28-33
 No navigable waters (05/26/81)

Secs. 1-3, 10-15, 22-27, and 34-36 (IC 595)
 No navigable waters (05/26/81)

T. 10 N., R. 77 W.

Secs. 3-10, 16-21, 23, and 26-33
 No navigable waters (05/26/81)

Secs. 1, 2, 11-15, 22-27, and 34-36 (IC 595)
 No navigable waters (05/26/81)

T. 11 N., R. 77 W.

Secs. 7, 9, and 13-36
 No navigable waters (05/26/81)

T. 6 N., R. 78 W.

Secs. 1-3, 9-16, 21-28, and 33-36
 No navigable waters (01/25/82 as amended 10/26/82)

T. 9 N., R. 78 W.

Secs. 1-3, 10-15, and 22-27
 No navigable waters (05/22/80 as amended 03/10/82)

Secs. 4-9, 16-21, and 28-30
 No navigable waters (05/28/81)

T. 10 N., R. 78 W.

Secs. 1-18, 22-27, and 34-36
 No navigable waters (05/22/80 as amended 03/10/82)

Secs. 19-21 and 28-33
 No navigable waters (05/28/81)

T. 11 N., R. 78 W.

Secs. 1-36
 No navigable waters (05/22/80 as amended 03/10/82)

T. 12 N., R. 78 W.

Secs. 25-36
 No navigable waters (05/22/80 as amended 03/10/82)

T. 9 N., R. 79 W.**Secs. 1-29**

No navigable waters (05/28/81)

T. 10 N., R. 79 W.**Secs. 19-36**

No navigable waters (05/28/81)

T. 9 N., R. 80 W.**Secs. 1, 12, and 13**

No navigable waters (05/28/81)

T. 10 N., R. 80 W.**Secs. 21-28 and 33-36**

No navigable waters (05/28/81)