

ATTACHMENTS

for

Slate Creek

Final

INTERIM SUMMARY REPORT

Prepared by Nicole Lantz, Historian I

Kuskokwim Assistance Agreement
Phase II-B Submission

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

October 19, 2010

UNITED STATES GOVERNMENT

Memorandum

**Slate Creek
Interim Summary Report
Attachment 1**

TO : Files

DATE: NOV 15 1976

FROM : Realty Specialist, McGrath Resource Area

In reply refer to:
F-14862/2651 (102)

SUBJECT: Summary of Goodnews Bay Village Easement Proposals Meeting on
September 11, 1975

Those present included John Roberts, chairman, William Walter, Evan Beaver, Louis Smith, Otto Pavala, and Christian Bavilla. Some 19 others also attended the meeting. Joe Labay and Cliff Ellis representing the ADO of BLM presented the proposals.

Easement comments were solicited from some 22 agencies on December 4, 1975. Several agencies responded with easement recommendations before the date of the village meeting.

The following easement proposals were discussed and comments noted:

Easement Proposal No. 1 - Quinhagak Coast Trail

1. Recommended by the State Division of Lands, the State Department of Fish and Game, and the Bureau of Mines.
2. An old mail sled dog trail that is only sometimes used. Snowmachines often travel directly southeast from Carter Creek rather than follow the coast. Village fuel supplies are brought into Quinhagak from Platinum.
3. For continued use as winter travel corridor between villages and for hunting and trapping access.
4. The village corporation does not strongly oppose these easements as they do see some use.

Easement Proposal No. 2 - Quinhagak Snowmachine Trail

1. Suggested actual route by the Goodnews Bay residents.
2. A variable route according to snow conditions and weather that generally follows a straight-line course.
3. For access between villages.
4. The village corporation does not oppose this easement that lies mostly on other ownership lands.



Easement Proposal No. 3 - Arolik River Mining Trail

1. Recommended by the State Division of Lands, the State Department of Fish and Game, and the U.S. Bureau of Mines.
2. This trail is at least 20 years old; it is very visible in the tundra but is said to have no use today by either Natives nor mining interests.
3. For transportation corridor and hunting and trapping access.
4. The village corporation believes their trail has no use today nor is any needed. Mining interests also have no need for it.

Easement Proposal No. 4 - Wattamuse Mining Trail

1. Recommended by the State Department of Fish and Game, the State Division of Lands, and the U.S. Bureau of Mines.
2. This prominent trail north from the village of Goodnews Bay is a winter route to hunting and trapping areas. Formerly used to supply the Wattamuse Mining Company.
3. Needed for a transportation route and future recreational needs on public lands.
4. The village corporation does not want public travel across their lands.

Easement Proposal No. 5 - Goodnews Bay Campsite

1. Recommended by the Alaska State Department of Fish and Game.
2. The available area for a campsite lies outside the best use area which is above the tide line and on the airport lease area immediately in front of the village.
3. For boat and float plane tie-up and overnight camping.
4. The village corporation recommends overnight camping elsewhere as the best site has heavy boat use. Float planes land only at high tide.

Easement Proposal No. 6 - Slate Creek-Goodnews River Campsite

1. Recommended by the State Department of Fish and Game.
2. This campsite area lies far upriver and is located well for a stopover location traveling upriver. It is one to two days travel to Goodnews Lake.

3. Desired for overnight camping and landing site with access to the Slate Creek area trails for fishing, recreational use and access.
4. The village corporation believes factors of weather and boat operations determine stopping areas along the river.

Easement Proposal No. 7 - Goodnews River Campsite

1. Recommended by the U.S. Fish and Wildlife Service.
2. This campsite is midway through the village selection area and in an attractive setting of timber and open higher ground bordering the river and adjacent to the Wattamuse Creek trail.
3. Desired for boat pullout and landing sites for residents, Natives, and visitors using the river.
4. The village corporation does not care for campsites along their main fishing river.

Easement Proposal No. 8 - Middle Fork Campsite

1. Recommended by the U.S. Fish and Wildlife Service.
2. A favorite fishing spot where the two streams join and directly opposite a Native allotment applied for location.
3. For continued public access and recreational use of this portion of the Goodnews River.
4. The village corporation does not wish to have competing use along the river that bisects their land.

Easement Proposal No. 9 - Togiak and Platinum Trail

1. Recommended by the State Department of Fish and Game, the State Division of Lands, and the U.S. Bureau of Mines.
2. This is a well-used and a historical route leading eastward toward Togiak and Bristol Bay. It has also hunting and trapping use and provides access to public lands. A trail branch leads south to connect with Platinum Village.
3. For use as a transportation corridor between villages and hunting and trapping access.
4. The village corporation agrees other villages and the public has long-time use on this trail route.

Easement Proposal No. 10 - Marine Coastline

1. Recommended by the State Division of Lands.

2. The statewide 25-foot public seashore easement applies to this lower portion of the Kuskokwim River.
3. For continued public access.
4. The village corporation had no strong pro or con feelings on this type of an easement.

Easement Proposal No. 11 - Goodnews River Trail and Campground

1. Recommended by the BLM district staff.
2. This is a fourth river campground proposal that would replace any other. It's location would be advantageous to public land access.
3. It serves as a river stopping point mid-way through the village selection area and is trail head access. A ½-mile trail leads east to public land.
4. This recent proposal was not presented to the village residents.

Easement Proposal No. 12

1. Recommended by the BLM district staff.
2. A west extension of the Wattamuse Mining Trail that crosses the Tunalik River and skirts to the nearby hills.
3. This trail provides public land access to a block pattern situated between village selection areas.
4. The village people did not discuss this more recent proposal.

Easement Proposal No. 13 - Navigable Waters

1. Recommended by the State Division of Lands, private parties, and Knik Kanoers.
2. The main stream of the Goodnews River, the South Fork and the Middle Fork are on the navigable water state proposal.
3. For public ingress and egress.
4. The village corporation opposes any streamside easement along these waters.

13/ CLFF E113

CElls'gs 11/15/76

**Slate Creek
Interim Summary Report
Attachment 2**

Anchorage District Office
RECEIVED

JAN 31 1977

Files

FEB 4 1977

Department of Land Management
Anchorage, Alaska
Realty Specialist

In reply refer to:
2651 (932)
F-14862-KE

Easement Task Force Meeting on Goodnews Bay

On November 16, 1976, the Easement and Navigability Task Force met to consider easements and navigable waters for the village of Goodnews Bay.

The selected lands for this village are subject to Secretarial Order 2987.

Navigable waters were discussed and the following rivers were considered to be navigable due to travel, trade or commerce, or susceptibility to travel, trade, or commerce. These are the Goodnews River throughout the selection area and Slate Creek from its mouth to the old Wattanuse Mining Camp.

The following easements were approved by the Task Force.

- | | | | |
|---|----------------|---|--|
| 1 | D1, D9, C3, C4 | A 50' wide trail extending westerly from Goodnews through selected lands. The trail is primarily a winter route and provides access between villages and to public lands. The trail narrows to 25' when it forks and enters lands selected by other villages. The segment of this trail from the platina selection northerly to public lands is 25' wide. At one time in the past, this trail was a mail route. | DM
ADM
PA
RES
ENG
ADMIN
FIRE
AM-PEN
AM-MCG
AM-GLN |
| 2 | M, C5 | A 25' trail extending from trail 1 northwesterly across selected lands until it intersects trail 1 near the mouth of Carter Creek. This is primarily a winter route providing access between villages and to public land. | Action
Reply
Info
Comment
File |
| 3 | D1, D9, C3, C4 | A 50' trail beginning in section 20 of T.12S., R.74W., SM., on the north shore of Goodnews Bay extending generally northeasterly across selected lands. The trail provides access to public lands. | |
| 4 | D1, D9, C3, C4 | A 50' trail extending northeasterly from Goodnews to the old Wattanuse Mining Camp. This is an existing trail that was formerly used to supply the Wattanuse Mining Camp. This trail provides access to public lands. | |

- 5 D9,C4 A one acre site easement for staging, camping, and vehicle use located northeast of the village and adjacent to the northside of the airport lease area. This is necessary to facilitate the public access to public lands.
- 6 D9,C4 A two-acre site easement for staging and vehicle use located in section 21, T.10S., R.71W., SM., on the right bank of the Goodnews River. This is necessary to facilitate the public access to public lands.
- 6A C5⁴ 574
1/2/77 A 50' trail easement extending northerly from site easement 6 to trail 4 which leads to the Watawuse Mining Camp. This easement will provide access to public lands.
- 7 C6,C4 A one-acre site easement for camping and vehicle use located in section 21, T.11S., R.72W., SM., on the right bank of the Goodnews River. The site is necessary to facilitate the public use of public waters.
- 8 C6,C4 A one-acre site easement for staging, camping, and vehicle use located near the confluence of the Goodnews and Middle Fork Rivers. Actual location is dependent on disposition of pending Native Allotments in the vicinity. The site will be located so as to avoid being placed on an approved allotment. The site is necessary to facilitate the use of public waters.
- 9 D1,D9,C3 A 25' trail extending from Goodnews easterly to Togiak providing access to public lands and the Bristol Bay area. The trail receives primarily winter use as a transportation route between villages and as access to public lands for hunting.
- 10 D1,D9,C3 A 25' continuous marine coastline easement.
- 11 C5 A one-acre site easement for staging, camping, and vehicle use with a 25' trail leading easterly to public lands. The site is located on the Goodnews River in section 2, T.11S., R.72W., SM. This easement will provide access to public lands. The site is necessary to facilitate the public access to public lands.
- 12 C5 A proposed 25' trail branching off of trail 4 beginning in the NE 1/4 of section 3, T.12S., R.72W., SM., extending westerly to public lands. The trail provides access to the southern portion of a block of public land.

- 13 D1,L A 25' streamside easement along both banks of the Goodnews River as it crosses the selection area. The Goodnews River is considered to have a highly significant present recreational use. It has runs of king, chum, pink, silver, red salmon, rainbow trout, and arctic char.

- 14 C5 A 25' trail branching off of trail 9, in section 17, T.12S., R.72N., SM., extending southwesterly to Platinum. This trail provides access to public lands and is a land travel route between the villages of Goodnews and Platinum.

- 15 D1,L A 25' wide streamside easement along both banks and on the bed of the Middle Fork of the Goodnews River as it crosses selected lands. This stream is considered to have highly significant present recreational use. It has runs of chum and red salmon and arctic char.

/s/Stanley H. Bronczyk

cc:
✓ DM-A (100)

APR 4 1978

*To
Hastorner*

**Slate Creek
Interim Summary Report
Attachment 3**

SD

Final Easements for the Village
of Goodnews Bay

Chief, Division of Technical Services (941)

The recommendations of the Land Use Planning Commission contained no changes from the Notice of Proposed Easements for the lands selected by the village of Goodnews Bay. Therefore, no second easement staff meeting was held. My decision is to have the following easements included in the conveyance to Goodnews Bay.

E. I. N.

DESCRIPTION

1 C3, C4, D1, D9 An easement for an existing access trail twenty-five (25) feet in width from Goodnews Bay village westerly to public lands then northerly to Quinhagak. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.

Discussion:

Reservation of this winter trail easement is necessary to assure continued access to public lands and resources. Two areas of public lands are serviced by this trail. It also is an existing travel route between the villages of Goodnews Bay and Quinhagak to the northwest, with connecting access to Platinum. The easement management program will need to properly consider the concern for the waterfowl nesting and breeding areas along the coastal sections of this trail. Formerly, the trail had been used as the dogsled mail route. Fuel supplies have also been moved over the route from Platinum to Quinhagak. This trail was reduced from fifty (50) feet to twenty-five (25) feet in width.

2 C5, M

An easement for an existing access trail twenty-five (25) feet in width from trail easement #1 in Sec. 29, T. 10 S., R. 75 W., SM., southeasterly 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 assure continued public access for intervillage travel and access to public land. In connection with trail #2 on the Platinum selection, this trail provides an inland route for travel between Quinhagak and Goodnews Bay village. During the winter, snowmobilers use this route, especially if coastal weather and trail conditions are less desirable.

3 C3, C4, D1, D9

An easement for an existing access trail fifty (50) feet in width from the waters of Goodnews Bay and public lands, northerly across village selected lands to public lands in T. 10 S., and T. 11 S., R. 74 W., SM. 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 assure continued public access to several areas of public lands separated by village selection. A Bureau of Mines report lists this general area as highly favorable for metallic and related non-metallic mineral deposits. For this reason and because the trail had been used to access mining areas about twenty years ago, the trail is being reserved at a fifty-foot width. This width allows travel by ATV's and four-wheel drive vehicles used in mining and mineral exploration.

4 C3, C4, D1, D9

An easement for an existing access trail fifty (50) feet in width from Goodnews Bay village northeasterly generally paralleling the Goodnews River to public land in Sec. 16, T. 10 S., R. 71 W., SM. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.

Discussion:

This overland, winter route has been used in the past to haul supplies to the Wattamuse Mining camp on public lands north of the village selection. Since these public lands have a known mineral potential, this trail is being reserved at fifty feet to allow use by ATV's and four-wheel drives used in mining and exploration activities. Reservation of this easement is necessary to assure public access between the waters of Goodnews Bay and public lands which have known mineral resources.

6 C4, D9

A two (2) acre site easement upland of the ordinary high water mark in Sec. 21, T. 10 S., R. 71 W., SM., on the right bank of the Goodnews River. The site is for camping, staging, and vehicle use.

Discussion:

Reservation of this trailhead site easement is necessary to facilitate access to public land. The Goodnews River is determined to be navigable based on travel, trade, and commerce. Those persons using the river will need an off-loading point from which travel will proceed to public land. The two-acre

size of this site will accommodate such off-loading of equipment and supplies. It will also allow for overnight camping, boat moorage, and temporary storage of supplies and equipment.

6a C4

An easement for a proposed access trail fifty (50) feet in width from site easement #6 and the Goodnews River, northerly 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 provide access between the Goodnews River (from site #6) and public lands. The fifty-foot width will allow travel by ATV's and four-wheel drive vehicles used in mining and exploration activities. On public land, this trail joins trail easement #4 which accesses the Wattamuse Mining area.

8 C4, C6

A one (1) acre site easement upland of the ordinary high water mark in Sec. 18, T. 12 S., R. 72 W., SM., on the right bank of the Goodnews River at its confluence with the Middle Fork River. The site is for camping, staging, and vehicle use.

Discussion:

This site is located to facilitate travel along the Goodnews River and trail easement #9. The exact location of the site will need to be carefully considered to avoid possible conflict with Native allotments. At the site, space will be provided for overnight camping, boat moorage, off-loading, and temporary storage of equipment.

9 C3, D1, D9

An easement for an existing access trail twenty-five (25) feet in width from Goodnews Bay village, easterly 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 assure continued public use of this access route between the village of Goodnews Bay and public lands to the east. In 1919 mail was delivered, on a monthly basis, over this trail during the winter. Essentially, the trail will be limited to winter use. This width allows travel by foot, dogsled, pack animals, snowmachines, and other small vehicles.

10 D1

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

Discussion: Standard coastline easement.

11 C5

A one (1) acre site easement upland of the ordinary high water mark in Sec. 2, T. 11 S., R. 72 W., SM., on the left bank of the Goodnews River. The site is for camping, staging, and vehicle use.

Discussion: Reservation of this site easement is necessary to facilitate access to public lands. The site serves as a trailhead to trail easement #11a which provides access to public lands to the east. Travelers using the river as a travel route to public lands to the north, might also use this site as an overnight camping area. At the site, space will be provided for boat moorage, camping, and temporary storage of supplies.

11a C5

An easement for a proposed access trail twenty-five (25) feet in width from the Goodnews River and site easement #11 easterly 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 provide access to public lands. From site easement #11 and the Goodnews River, the distance to these public lands is only about one-half mile. Persons using this trail will be allowed to travel by foot, dogsled, pack animals, snowmachine, or other small vehicles.

12 C5 An easement for a proposed access trail twenty-five (25) feet in width from trail #4 in Sec. 3, T. 12 S., R. 73 W., SM., westerly to public lands. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.

Discussion: This trail provides access to a strip of public lands surrounded on three sides by village selected lands. Because of rough topography it is logical to come in from this direction rather than from the south or west. The width of this trail allows travel by foot, dogsled, pack animal, snowmachine, and other small vehicles.

13 D1, L 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 Goodnews River through the selection area. Purpose is to provide for public use of waters having highly significant present recreational use.

Discussion: The Goodnews River has a history of use for travel, trade, and commerce. It was therefore designated as a navigable river. Some of the earlier use of the river involved the movement of supplies to the Wattamuse Mining area. In 1975, it was floated as part of the Alaska Department of Fish and Game stream survey. Reportedly, recreationists use the river quite often. Continued use of the river is necessary for recreational purposes as well as an access route to public lands having highly favorable mineral deposits. In connection with overland trails, the river provides access to other areas of public land as well.

14 C5 An easement for an existing access trail twenty-five (25) feet in width from trail easement #9 in Sec. 17, T. 12 S., R. 72 W., SM., southerly to public lands and trail #3 on the Platinum selection. 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 assure continued public travel between the villages of Goodnews Bay and Platinum as well as to provide access to public lands. The width of this trail allows travel by foot, dogsled, pack animal, snow-machine, and other small vehicles.

15 D1, L

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

Discussion:

This river has good runs of chum salmon, red salmon, and arctic char. In addition to subsistence fishing by regional residents, the river attracts sportfishermen during periods when the salmon are running. This easement will provide space for foot travel, boat docking, and other uses associated with travel along the river.

16 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.

17 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.

In addition to the above easements, the conveyance documents will contain periodic coastline easements as required by the Calista Corporation-Department of Interior easement agreement. These easements have not been identified by the Anchorage District Office as of this time but will be identified and included in the conveyance documents in accordance with the terms of the agreement.

After a thorough review of all recommendations, the following easements were deleted from the original Notice of Proposed Easements:

E.I.N.

DISCUSSION

5 C4, D9

This one (1) acre site easement, located near the village, has been deleted. Public lands are available on the shore of Goodnews Bay about five miles to the west and site easement #8 is located about three miles to the east.

7 C4, C6

This one (1) acre site easement in Sec. 21, T. 11 S., R. 72 W., SM., on the Goodnews River, has been deleted. It is approximately ten river miles between site easement #8 and #11; therefore, it is felt that this site (#7) which is located between these two sites, is unnecessary.

/s/ Curtis V. McVee

cc:
DM-A (010)

**Slate Creek
Interim Summary Report
Attachment 4**

F-14862-EE (75.4)
F-14862-A (2651)
(963)

JUL 29 1982

Memorandum

To: Chief, Division of ANCSA and State Conveyances (960)
From: SD
Subject: Final Easements for the Village of Goodnews Bay

Following are the final easement, major waterway, tidal influence, and navigability recommendations for lands selected by the village of Goodnews Bay. Of those recommendations, my decision is as follows.

MAJOR WATERWAYS:

The Goodnews River was the only water body determined to be major. It receives significant use today as a travel route to public land.

TIDAL INFLUENCE:

Limits of tidal influence for water bodies within the lands to be conveyed will be determined at the time of survey.

NAVIGABILITY:

The Goodnews River was determined to be navigable throughout the selection area. The former Wattamuse mining area used the

Goodnews River and Slate Creek (northeast of the notice area) obtain supplies by boat. The Goodnews River is considered navigable from its mouth easterly throughout the selection area.

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

50 Foot Trail - The uses a fifty (50) foot wide trail easement are: travel by foot, animals, snowmo'

vehicles, small and large all-terrain vehicles, track vehicles and four-wheel drive vehicles.

One Acre Site - The uses allowed for a one acre 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, C5, D1, D9, M) An easement for an existing access trail twenty-five (25) feet in width from Sec. 5, T. 10 S., R. 75 W., Seward Meridian, southerly and easterly to its junction with EIN 4 C3, C4, D1, D9 in Sec. 21, T. 12 S., R. 73 W., Seward Meridian. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement.

Discussion:

The coastal trail, formerly EIN 1 C3, D1, D9, was not recommended in favor of this currently

used, more direct route. Trail EIN 2 C5, M has been incorporated into this trail. This inland route was identified by the villagers as the more regularly used route. This trail provides access northerly to Quinhagak and public lands. The season of use will be limited to winter.

- b. (EIN 9 C3, D1, D9) An easement for an existing access trail twenty-five (25) feet in width from Goodnews village, in Sec. 21, T. 12 S., R. 73 W., Seward Meridian, easterly to public land.

Discussion:

This trail easement is necessary to assure public access between the village of Goodnews and public lands to the east.

- c. (EIN 3 C3, C4, D1, D9) An easement for an existing access trail fifty (50) feet in width northerly from the shore of Goodnews Bay in Sec. 20, T. 12 S., R. 74 W., Seward Meridian, northerly through the selection area to public lands. The uses allowed are those listed above for a fifty (50) foot wide trail easement.

Discussion:

Reservation of this trail easement is necessary to assure continued public access to public lands separated by village selection. There are 19 placer mining claims located within a four township area which this trail provides access to (Tps. 7 and 8 S., Rs. 71 and 72 W., Seward Meridian). A Bureau of Mines report lists this general area as highly favorable for metallic and nonmetallic mineral deposits. This trail is needed for access to this mineralized area as well as general public access to public lands. The fifty (50) foot width will accommodate large ATV's and four-wheel drive vehicles used in mineral exploration and development.

- d. (EIN 4 C3, C4, D1, D9) An easement for an existing access trail fifty (50) feet in width from the village of Goodnews in Sec. 21, T. 12 S., R. 73 W., Seward Meridian, northeasterly, generally paralleling the Goodnews River, to public lands. The uses allowed are those listed above for a fifty (50) foot wide trail easement.

Discussion:

This overland route has been used in the past to haul supplies to the Wattamuse mining camp on public lands northeast of the village selection. These public lands have active mineral claims with good potential. Reservation of this easement is necessary to assure public access between the waters of Goodnews Bay and public lands. The fifty (50) foot width will accommodate large ATV's and four-wheel drive vehicles used in mineral exploration and development.

- e. (EIN 8 C4, C6) A one (1) acre site easement upland of the ordinary high water mark on the right bank of the Goodnews River in Sec. 18, T. 12 S., R. 72 W., and Sec. 13, T. 12 S., R. 73 W., Seward Meridian, at its confluence with the Middle Fork of the Goodnews River. The uses allowed are those listed above for a one (1) acre site.

Discussion:

This site is necessary to facilitate access to public lands. This site

serves as a trailhead for the Goodnews-Platinum trail, EIN 14 C5, which accesses isolated public land to the south. It is also located on trail EIN 9 C3, D1, D9 which provides access to public lands to the east.

- f. (EIN 11 C5) A one (1) acre site easement upland of the ordinary high water mark in Sec. 2, T. 11 S., R. 72 W., Seward Meridian, on the left bank of the Goodnews River. The uses allowed are those listed above for a one (1) acre site.

Discussion:

Reservation of this site easement is necessary to facilitate access to public lands. The site serves as a trailhead to trail EIN 11a C5 which provides access to public lands to the east. Travelers using the river as a travel route to public lands to the north, might also use this site as an overnight camping area. If the selected land in T. 10 S., R. 72 W., Seward Meridian, is not conveyed, or if at time of survey it is determined that the river is located on public land, this easement will be relinquished.

- g. (EIN 11a C5) An easement for a proposed access trail twenty-five (25) feet in width from site EIN 11 C5 in Sec. 2, T. 11 S., R. 72 W., Seward Meridian, easterly to public lands. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement.

Discussion:

Reservation of this trail easement is necessary to provide access to public lands. From site EIN 11 C5 and the Goodnews River, the distance to the closest public lands is less than $\frac{1}{2}$ mile. If the land selected in T. 10 S., R. 72 W., Seward Meridian, is not conveyed, or if at the time of survey it is determined that the river is located on public land, this easement will be relinquished.

- h. (EIN 12 C5) An easement for an existing access trail twenty-five (25) feet in width from trail EIN 4 C3, C4, D1, D9 in Sec. 3, T. 12 S., R. 73 W., Seward Meridian, westerly to public lands. The uses allowed are those listed above for a twenty-five (25) foot trail easement.

Discussion:

This trail provides access to a strip of public lands isolated by the village selection and topography. Because of the topography, the most feasible route is from the east rather than from the southwest.

- i. (EIN 14 C5) An easement for an existing access trail twenty-five (25) feet in width from trail EIN 9 C3, D1, D9 in Sec. 18, T. 12 S., R. 72 W., Seward Meridian, southerly to public lands thence southwesterly through the selection. The uses allowed are those listed above for a twenty-five (25) foot trail easement.

Discussion:

Reservation of this trail easement is necessary to assure continued public access between the villages of Goodnews and Platinum as well as to provide access to public lands. This trail provides an alternate overland route between Platinum and Goodnews when conditions prevent safe travel on Goodnews Bay.

The following easements were considered but not recommended:

- a. (EIN 2 C5, M) An easement for an existing access trail twenty-five (25) feet in width from Sec. 29, T. 10 S., R. 75 W., Seward Meridian, southeasterly to public land.

Discussion:

This trail was made a part of trail EIN 1 C3, C5, D1, D9, M after the coastal portion of the latter was deleted.

- b. (10 D1) A continuous linear easement twenty-five (25) feet in width upland of and parallel to the mean high tide line in order to provide access to and along the marine coastline and use of such shore for purposes such as beaching of watercraft or aircraft, travel along the shore, recreation, and other similar uses.

Discussion:

This easement does not meet the requirements of the new easement regulations.

- c. (EIN 13 D1, L) 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 Goodnews River through the selection area.

Discussion:

This easement does not meet the requirements of the new easement regulations. It is recreational in nature.

- d. (EIN 15 D1, L) A streamside easement twenty-five (25) feet in width upland of and parallel to the ordinary high water mark on all banks and an easement on the entire bed of the Middle Fork Goodnews River through the selection area.

Discussion:

This easment does not meet the requirements of the new easement regulations. It is recreational in nature.

- e. (EIN 16 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:

This easement does not meet the requirements of the new easement regulations.

- f. (EIN 17 C) Easements for the transportation of energy, fuel, and natural resources which are the property of 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 period of planning, locating, constructing, operating, maintaining, or terminating transportation systems.

Discussion:

This easement does not meet the requirements of the new easement regulations.

The following easements were not considered because they were outside the subject area of conveyance:

- a. (EIN 6 C4, D9) A two (2) acre site easement upland of the ordinary high water mark in Sec. 21, T. 10 S., R. 71 W., Seward Meridian, on the right bank of the Goodnews River.

Discussion:

This easement is located on lands outside the selection area.

- b. (EIN 6a C4) An easement for a proposed access trail fifty (50) feet in width from site EIN 6 C4, D9 and the Goodnews River northerly to public lands.

Discussion:

This easement is located on lands outside the selection area.

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dt:01/13/82

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF RESEARCH & DEVELOPMENT

JAY S. HAMMOND, GOVERNOR

555 Cordova Street
Pouch 7-005
Anchorage, AK 99501
(907) 266-2653

October 26, 1982

File #2167.00

Mr. Robert Arnold
Assistant to the State Director
for Conveyance Management
Bureau of Land Management
701 "C" Street, Box 13
Anchorage, Alaska 99513

Re: F-14862-EE (75.4)
F-14862-A (2651)
(963)

**Slate Creek
Interim Summary Report
Attachment 5**

Dear Mr. Arnold:

The State of Alaska has acquired additional evidence to support reservation of a reasonable pattern of 17(b) easements to be reserved on lands to be conveyed to Kuitsaruk, Inc., at the village of Goodnews Bay.

At the village meeting on October 5, 1982, Joseph Martin objected to the reservation of additional site easements along the Goodnews River because he alleged that recreational users of the river had created problems by cutting trees, littering, and interfering with the fish camps.

In order to ascertain public use along the Goodnews River, I contacted Ron Hyde, owner of Alaska River Safaris and river guide on the Goodnews River for 11 years. Mr. Hyde has had a very good relationship with the villagers and has hired local villagers as guides and camp help for many years. He stated he has cleaned up litter left by others on the river and has attempted to keep others from littering, to the extent of pursuing charges in 1979 with Officer Van Wilison of the Bethel post. Recently, Mr. Hyde's son, Ron Hyde, Jr., who lives in the village, was appointed to the position of village policeman for the purpose of litter patrol and enforcing other city ordinances. During the off season, he has hunted and trapped with local Natives.

Mr. Hyde was surprised to learn that the villagers felt that large skiffs could not readily travel up the Middle Fork of the Goodnews River because he has been taking rafting parties up it by power boat for years.

The following information was presented by Mr. Hyde.

- 1) Alaska River Safaris averages 80 river floaters on the Goodnews River per season and approximately 100 other guests by power boat.

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- 2) There are approximately 50 to 60 other floaters on the river during the summer.
- 3) During the peak of the season as many as 35 people may be on the river at the same time.
- 4) The trip through the conveyance area takes two to four days, depending on the weather conditions. At times floaters can be traveling into a 35 mph headwind in heavy rain.
- 5) Floating parties on the river average four stops per day.

Based on present and existing use as identified by Mr. Hyde, the site easements proposed by the state (as identified on the attached map) provide a reasonable pattern of travel along the Goodnews River and the Middle Fork of the Goodnews River. Solid triangles represent proposed overnight camping areas and open triangles represent proposed site easements with no overnight camping. Based on the best available information, none of these proposed sites conflict with Native allotments.

The State of Alaska offers the following information on specific trails proposed for Reservation.

EIN 1

This trail should be realigned on the ice of Goodnews Bay to Section 19 T. 12S., R. 74W., S.M. and in T. 10S., R. 75W., S.M. to avoid Native allotment conflicts as shown on the attached map. This trail is suitable for winter use only.

EIN 9

We concur with the villagers proposed realignment of this easement through Section 25. T. 12S., R. 73W., S.M. and Section 21. T. 12S., R. 21W S.M. if the Native allotment located in Section 25 is avoided by using the unnamed slough. This trail is suitable for winter use only and is used for intervillage travel and access to public lands.

EIN 3

This trail receives use for intervillage travel to villages on the Lower Kuskokwim. It is also used by trappers in the surrounding hills to access Goodnews Bay to obtain supplies. This trail is suitable for year round use and movement of heavy equipment. Alternative access from EIN 12 is not topographically feasible nor environmentally sound.

EIN 4

This trail receives year round use for access to public lands by trappers and schoolteachers and intervillage travel by the people of Togiak, Quinhagak, and Platinum. The Goodnews River is not a reasonable alternative because of dangerous ice conditions caused by fast moving water, overflow,

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and unstable beaver houses. The Goodnews River cannot, and has not, been used for the transport of heavy equipment to the Wattamuse Mine. Clyde Hoffman of Bethel will need to use this route to bring in new heavy equipment as well as any new miners entering this area of high mineral potential. The state finds rerouting this trail around pending Native allotment applications feasible and desirable. The proposed realignment is shown on the attached maps.

EIN 11a

The state recommends that this proposed trail be deleted to avoid Native allotments.

EIN 12

The state concurs with this proposed trail.

EIN 14

The state concurs that the villagers proposed relocation of this easement across the Platinum selection is the location of present existing use. However, it cannot be reserved as the lands have already been conveyed to Platinum. A reasonable alternative would be to connect to the reserved trail through Section 35. T. 12S., R. 73W., S.M, as shown on the attached map.

Additional information will be forthcoming on navigability.

If you have any additional questions or would like to discuss this further, you may contact me at 265-4389. Mr. Hyde may be reached at 333-2860.

Sincerely,



James E. Culbertson
Natural Resource Officer

Attachment

cc: Joseph Martin
Kuitsarak Inc.
Goodnews Bay, Alaska 99620

Felix Hess
Calista Corporation
516 Denali Street
Anchorage, Alaska 99501

Ron Hyde
Alaska River Safaris
4909 Rollins Dr.
Anchorage, Alaska 99504

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MANAGEMENT
ANCHORAGE, ALASKA

Calista Corporation

516 Denali Street, Anchorage, Alaska 99501 (907) 279-5516

October 29, 1982

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MANAGEMENT
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Mr. Robert Arnold
Assistant to the State Director
for Conveyance Management
Bureau of Land Management
701 "C" Street, Box 13
Anchorage, Alaska 99513

**Slate Creek
Interim Summary Report
Attachment 6**

Dear Bob:

Reference is made to a letter to you from Jim Culbertson from the State of Alaska, Department of Natural Resources, addressing ANCSA 17(b) easements for lands being considered for conveyance to Kuitsarak, Incorporated of Goodnews Bay.

For starters, we vehemently oppose the State-DNR's proposed one acre site easements on the Goodnews River and its tributary, the Middle Fork. Rules and regulations subsection 2650.7 in part says: Scenic easements or easements for recreation on lands conveyed pursuant to the Act shall not be reserved . . . Furthermore, we feel that if the recreational users of the Goodnews River and its tributary wanted to insure that their continued activity not be jeopardized, they should have participated at the village land conveyance meeting and submitted their comments.

In reference to EIN 3, the delegates for Kuitsarak, Incorporated informed BLM, that as indicated and proposed by BLM and the State, this easement was overgrown with brushes and made it unsuitable for travel. One time use does not justify the reservation of an easement and the delegates for Kuitsarak, Inc. opposed the reservation of this easement because it was not presently utilized. We disagree with the State's assertion concerning EIN 4, because the delegates for Kuitsarak, Inc. claimed that the

proposed route was unsuitable for travel by any means. Furthermore, where access is possible by a navigable body of water, in this case the Goodnews River, reserving this easement would be duplicating access to basically the same area. EIN 14 was not proposed or even suggested by Kuitsarak delegates because they utilized the Bay for intervillage travel to Platinum and noted that no easement should be reserved on their lands across from the village.

Lastly, we feel that the State of Alaska, Department of Natural Resources, is totally inept to propose easements utilized by a specific user group on corporate lands. We would recommend that you conform to the existing regulations pertaining to the land conveyances to village corporations regarding the ANCSA 17(b) easements.

If you should have any questions, please do not hesitate to contact our office at 279-5516, extension 228.

Sincerely,

CALISTA CORPORATION

Felix P. Hess

Felix P. Hess
Land Planner
Land & Natural Resources

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FPH:slb

cc Joseph Martin
Kuitsarak, Inc.
Goodnews Bay, Alaska 99620

Jim Culbertson
Natural Resource Offices
Alaska Department of
Natural Resources
555 Cordova Street
Pouch 7-005
Anchorage, Alaska 99510

**Slate Creek
Interim Summary Report
Attachment 7**

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ANCHORAGE DIST. OFFICE

F-14862-EE (75.4)
F-14862-A (2651)
(963)

Memorandum

JUN 22 1983

To: Chief, Division of ANCSA and State Conveyances (960)
From: Assistant to the State Director for Conveyance Management (913)
Subject: Final Easements for Kuitsarak, Inc., (Village of Goodnews Bay)

Following are the final easement and major waterway recommendations for lands selected by Kuitsarak, Inc., for the Natives of Goodnews Bay. Of those recommendations, my decision is as follows for the lands described below:

Seward Meridian, Alaska (Unsurveyed)

① T. 12 S., R. 73 W.
Secs. 1 through 36.

T. 12 S., R. 72 W.
Secs. 1 through 12 and 14 through 21.

② T. 11 S., R. 73 W.
Secs. 1 through 3, 10 through 29, and
32 through 36.

③ T. 11 S., R. 72 W.
Secs. 2 through 10, 14 through 23, and
26 through 35.

T. 10 S., R. 72 W.
Secs. 18 through 23 and 26 through 36.

T. 12 S., R. 74 W.
Secs. 3, 4, 9, 10, 13 through 16 and
21 through 24.

T. 11 S., R. 74 W.
Secs. 4, 5, 8, 9, 13, 16, 17, 20, 21, 24,
27 through 29 and 33 through 35.

T. 10 S., R. 74 W.
Secs. 28 through 33.

T. 10 S., R. 75 W.
Secs. 4, 5, 8, 9, 16, 17, 20, 21 and
25 through 36.

T. 10 S., R. 73 W.
 Secs. 13 through 15, 22 through 27 and
 34 through 36.

MAJOR WATERWAYS:

The Goodnews River, the Middle Fork of the Goodnews River, the South Fork of the Goodnews River and Barnum Creek have been determined to be major water ways. These water bodies serve as travel routes to public land.

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

One Acre Site - The uses allowed for a one acre 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, C5, D1, D9, M) An easement twenty-five (25) feet in width for an existing access trail from trail EIN 1 C3, C5, D1, D9, M on the Platinum selection in Sec. 5, T. 11 S., R. 75 W., Seward Meridian, northerly to public lands. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement. The season of use is limited to winter.

Discussion:

This trail was relocated to a coastal route from a previous inland route by the Village of Platinum. This trail is a continuation of Platinum trail EIN 1 C3, C5, D1, D9, M and provides access northerly to Quinhagak and public lands. That portion of this trail from the village of Goodnews Bay westerly to public land in Sec. 20, T. 12 S., R. 74 W., Seward Meridian has been deleted as the villagers stated winter travelers use the ice of Goodnews Bay.

- b. (EIN 3 C3, C4, D1, D9) An easement twenty-five (25) feet in width for an existing access trail from the shore of Goodnews Bay in Sec. 20, T. 12 S., R. 74 W., Seward Meridian, northerly through the selection area to public lands. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement.

Discussion:

Reservation of this trail easement is necessary to assure continued access to public lands separated by the village selection. This trail has been reduced to a twenty-five (25) foot wide trail as this is adequate to accomodate general public needs. Access to valid existing mining claims is protected under the 1872 Mining Law.

- c. (EIN 4 C3, C4, D1, D9) An easement twenty-five (25) feet in width for an existing access trail from the village of Goodnews Bay in Sec. 21, T. 12 S., R. 73 W., Seward Meridian, northeasterly, generally paralleling the Goodnews River, to public lands. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement. The season of use is limited to winter.

Discussion:

This overland route has been used in the past to haul supplies to the Wattamuse mining camp on public lands northeast of the village selection. Reservation of this easement is necessary to assure public access between the waters of Goodnews Bay and public lands. The trail width has been reduced to twenty-five (25) feet as this is adequate to accommodate public travel needs. Access to valid existing mining claims is protected by the 1872 Mining Law.

- d. (EIN 8 C4, C6) A one (1) acre site easement upland of the ordinary high water mark on an island in the Goodnews River in the approximate SW $\frac{1}{4}$, Sec. 18 and NW $\frac{1}{4}$, Sec. 19, T. 12 S., R. 72 W., Seward Meridian. The uses allowed are those listed above for a one (1) acre site.

Discussion:

This site is necessary to facilitate public travel along the Goodnews River. The site has received significant public use in the past and continues to receive significant use.

- e. (EIN 9 C3, D1, D9) An easement twenty-five (25) feet in width for a proposed access trail from a slough off the Goodnews River, in the NE $\frac{1}{4}$ Sec. 25, T. 12 S., R. 73 W., Seward Meridian, easterly to public land. The season of use is limited to winter.

Discussion:

This trail easement is necessary to assure public access between the village of Goodnews and public lands to the east. This easement will be relinquished if final survey shows the slough to be within public land as this slough is navigable and a public easement would not be necessary.

- f. (EIN 11 C5) A one (1) acre site easement upland of the ordinary high water mark on the left bank of the Goodnews River between two unnamed streams in NE $\frac{1}{4}$ Sec. 2, T. 11 S., R. 72 W., Seward Meridian. The uses allowed are those listed above for a one (1) acre site.

Discussion:

Reservation of this site easement is necessary to facilitate public travel along the Goodnews River. This site, in conjunction with trail EIN 11a C5, will facilitate change in mode of transportation. This site was relocated at the request of the village board of directors and the State of Alaska to avoid conflict with a Native allotment. If final survey shows the Goodnews River enters public lands in the NW $\frac{1}{4}$ Sec. 1, T. 11 S., R. 72 W., Seward Meridian this site would not be needed and would be deleted.

- g. (EIN 11a C5) An easement twenty-five (25) feet in width for a proposed access trail from site EIN 11 in the NE $\frac{1}{4}$ Sec. 2, T. 11 S., R. 72 W., Seward Meridian easterly to public lands. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement.

Discussion:

Reservation of this trail easement is necessary to provide public access between public waters and public lands separated by the village selection. This is a short trail of less than $\frac{1}{2}$ mile. If final survey shows The Goodnews River to enter public lands in the NW $\frac{1}{4}$ Sec. 1 T. 11 S., R. 72 W., Seward Meridian this trail easement would not be needed and would be deleted.

- h. (EIN 12 C5) An easement for an existing access trail twenty-five (25) feet in width from trail EIN 4 C3, C4, D1, D9 in Sec. 3, T. 12 S., R. 73 W., Seward Meridian, westerly to public lands. The uses allowed are those listed above for a twenty-five (25) foot trail easement.

Discussion:

This trail provides access to a block of public lands isolated by the village selection and topography.

- i. (EIN 14 C5) An easement twenty-five (25) feet in width for an existing access trail from Platinum trail EIN 3 D1, D9; in Sec. 6, T. 13 S., R. 73 W., Seward Meridian, northwesterly to the Goodnews River. The uses allowed are those listed above for a twenty-five (25) foot trail easement. The season of use is limited to winter.

Discussion:

Reservation of this trail easement is necessary to assure continued public access between the villages of Goodnews and Platinum. This trail provides an alternate overland route between Platinum and Goodnews when conditions prevent safe travel on Goodnews Bay. This trail was relocated to terminate at the Goodnews River.

The following easements were considered but not recommended:

- a. (EIN 2 C5, M) An easement for an existing access trail twenty-five (25) feet in width from Sec. 29, T. 10 S., R. 75 W., Seward Meridian, southeasterly to public land.

Discussion:

This trail was combined with trail EIN 1 C3, C5, D1, D9, M.

- b. (10 D1) A continuous linear easement twenty-five (25) feet in width upland of and parallel to the mean high tide line in order to provide access to and along the marine coastline and use of such shore for purposes such as beaching of watercraft or aircraft, travel along the shore, recreation, and other similar uses.

Discussion:

This easement does not meet the requirements of the new easement regulations.

- c. (EIN 13 D1, L) 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 Goodnews River through the selection area.

Discussion:

This easement does not meet the requirements of the new easement regulations as it is recreational in nature.

- d. (EIN 15 D1, L) A streamside easement twenty-five (25) feet in width upland of and parallel to the ordinary high water mark on all banks and an easement on the entire bed of the Middle Fork Goodnews River through the selection area.

Discussion:

This easement does not meet the requirements of the new easement regulations as it is recreational in nature.

- e. (EIN 16 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:

This easement does not meet the requirements of the new easement regulations.

- f. (EIN 17 C) Easements for the transportation of energy, fuel, and natural resources which are the property of 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 period of planning, locating, constructing, operating, maintaining, or terminating transportation systems.

Discussion:

This easement does not meet the requirements of the new easement regulations.

/s/ ROBERT W. FAIRFORD

cc:

Mr. Gary Gustafson
State of Alaska
Department of Natural Resources
Division of Research and Development
Land Exchange/Entitlement Unit
Pouch 7-005
Anchorage, Alaska 99502

Mr. Ron Swanson
Navigability Unit
State of Alaska
Pouch 7-005
Anchorage, Alaska 99502

DM-NAV (013)

AM-M (018)

(962)

Attn: M. Brown.

**Slate Creek
Interim Summary Report
Attachment 8**

Goodnews-CS-FY '88-#3
Hagemeister Island-CS-FY '88-#1
Kuskokwim Bay-CS-FY '88-#2
✓ F-14862 (75.4)
F-14920 (75.4)
(961)

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Memorandum

JUN 06 1988

To: Deputy State Director for Cadastral Survey (920)
From: Deputy State Director for Conveyance Management (960)
Subject: Navigable Waters in Group Survey No. 194 (Window 1704)

This memorandum identifies navigable water bodies on lands in Group Survey No. 194 (Goodnews Bay) that are selected (but not conveyed) under the Alaska Native Claims Settlement Act (ANCSA). The memorandum also identifies navigable waters excluded from ANCSA conveyances. The sixty-two townships in the group survey are described in Table 1. Over one-half of these lands are within the Togiak National Wildlife Refuge (NWR). The table identifies navigable waters that must be segregated on the survey plats. Streams 198 feet or more in width and lakes 50 acres or more in size are not listed in the table because they are excluded on the survey plats regardless of their navigability. The BLM's Photogrammetry Section has completed the meandering of water bodies for this group survey and the overlays were reviewed for this report. Goodnews River and Middle Fork Goodnews River have been meandered by reason of size throughout the report area. South Fork Goodnews River (less than three chains wide) also has been meandered.

The BLM's criteria for navigability determinations are described in a memorandum of March 16, 1976, from the Associate Solicitor, Division of Energy and Resources, to the Director, Bureau of Land Management (BLM), subject "Title to submerged lands for purposes of administering ANCSA"; the Alaska Native Claims Appeal Board's (ANCAB) decision of December 14, 1979, on the navigability of the Nation and Kandik rivers (RLS 76-2); the Regional Solicitor's February 25, 1980 interpretation of the ANCAB decision; and dicta in the U.S. District Court's decision (Case No. A80-359 Civ.) of April 16, 1987, on the navigability of the Gulkana River. In general, the BLM considers nontidal water bodies navigable if they were navigable by crafts larger than a one-person kayak at the time of Statehood.

For this report Dave Rukke of the Navigability Section interviewed the following people:

<u>Name</u>	<u>Date(s)</u>	<u>Phone Number and Background</u>
Keith Schultz	11/4/86	(543-2433) ADF&G, Bethel
Joseph Martin Sr.	11/5/86	(967-8511) Kuitsaruk Inc.
Battle Amerit	11/5/86	(967-8511) Goodnews Bay resident
Willie Eechuck	11/5/86	(979-8127) Platinum resident
James Bright	11/6/86	(967-8515) Goodnews Bay resident
William Walter	11/6/86	(967-8311) Goodnews Bay council
Dave Fisher	11/6/86	(967-8311) Togiak NWR, Dillingham
Walter Galila	11/7/86	(967-8414) Goodnews Bay resident
Ron Hyde	11/7/86	(333-2860) AK River Safari, Anch.
Ron Hyde Jr.	11/12/86	(333-2860) AK River Safari, Anch.
Ron Hyde	11/14/86	(333-2860) AK River Safari, Anch.
Peter Samuals	11/14/86	(979-8114) Mayor, Platinum
James Akuerilea	11/18/86	(279-5516) Calista Corporation
Oscar Snyder	11/18/86	(979-5516) Platinum resident
George Dahl	11/19/86	(543-3494) F&W Protection, Bethel
Ron Whitton	11/19/86	(543-3350) Miner, Bethel
Ron Hyde Jr.	11/19/86	(333-2860) AK River Safari, Anch.

Follow-up interviews by C. Michael Brown of the Navigability Section with the following people were also used for this report:

<u>Name</u>	<u>Date</u>	<u>Phone Number and Background</u>
Keith Schultz	9/9/87	(543-2433) ADF&G, Bethel
Joseph Martin, Sr.	9/9/87	(967-8511) Kuitsaruk Inc.
Ron Hyde, Sr.	9/9/87	(333-2860) AK River Safari, Anch.

For a full account of the interviews, see David C. Rukke to File F-14862-EE, November 21, 1986, and C. Michael Brown to File F-14862 (75.4), December 10, 1987.

South Fork Goodnews River

This river is shown on the USGS Goodnews A-7 (1954) quadrangle as a double-lined stream through the report area. It drains a marshy lowland and has little gradient. BLM's aerial photograph taken in August 1983 (CIR 128-3271-83, frame 5516) shows a clear, wide channel downstream from Tivyagak Creek, which lies just upstream in T. 12 S., R. 71 W., SM. Tivyagak Creek appears to have as much water as the South Fork. This river is tidal (Photogrammetry determination) from its mouth to the northeast corner of Sec. 21, T. 12 S., R. 72 W., SM, which is all within IC 885. Upstream from this corner this river flows through ANCSA-selected lands in Secs. 11, 12, 14 and 15, T. 12 S., R. 72 W., SM.

Local residents and guides agreed that the South Fork has the least amount of water and is less traveled of the three forks. Hyde, Jr., Schultz, and Walter have taken small boats to Table Mountain or Tivyagak Creek. They described the river as slow-moving, narrower than the other forks, and carrying less water. Ron Hyde, Jr., regularly takes his eighteen-foot Lund upstream to Tivyagak Creek. Schultz has taken an eighteen-foot boat to Lookout Mountain

and Walter said he took a fourteen-foot boat up about five miles. According to Schultz, the river is fifty to seventy feet wide and three to four feet deep. Hyde, Jr., said it is about three feet deep. On the corners it may be only ten to fourteen inches deep.

I determine South Fork Goodnews River navigable to and through T. 12 S., R. 72 W., SM. beyond which is federal (BLM) land in the report area. Hyde, Jr., Schultz, and Walter have taken boats to Tivyagak Creek and vicinity.

Indian River

From the confluence of its North and South forks, the river meanders westward four miles through marshy lowlands to Carter Bay, which is mostly tidal mud flats. It is shown on the USGS Goodnews B-8 (1954) quadrangle to be double-lined with a gradient of twenty-five feet per mile until it branches into the North and South forks, which are single-lined. Several short segments are single-lined in Secs. 13, 14, 15 and 24, T. 10 S., R. 75 W., SM. but this is not obvious in the aerial photographs taken in August 1983 (CIR 127-3271-83, frames 5572 and 5574). Indian River has a fifteen to twenty-five-foot wide channel which continues unobstructed to the confluence of the North and South forks in Sec. 24, T. 10 S., R. 75 W., SM. Above this confluence, both forks become very narrow and sinuous; each fork splits less than one-half mile upstream, further reducing the waterflow.

This river was excluded from IC 885 in Secs. 16, 20 and 21, T. 10 S., R. 75 W., SM. The river remains under ANCSA-selection in the report area in Secs. 15, 23 (extreme northeast corner) and 24, T. 10 S., R. 75 W., SM.

Local residents take small boats up this river a mile or more on the incoming tide. Walter, who has frequently stayed at a cabin at the river's mouth, thought that the river was too shallow for his fourteen-foot boat (prop). Martin, Sr., termed it just a creek, not suitable for boats. However, during an overflight of the river, Fisher observed boats about a mile up the river. He thought the boaters had reached this distance only by taking advantage of a high tide. Eechuck, who once took a twenty-foot boat up a quarter mile and thought he could have gone farther, said that local residents take boats to the river during the fall hunting season.

One person thought that the river is navigable for jet boats for a longer distance. Bright said that one needed a high tide to reach the river. He has taken an eighteen-foot boat up the river at high water and believed that a small boat with a jet unit could be taken upriver at least ten miles.

I determine Indian River non-navigable. Boaters only use the lowest mile of the river and then only on a high tide. The river is too shallow for canoes or rafts.

Slate Creek

This creek empties into the Goodnews River from the mountains to the north. The creek flows through ANCSA-selected land in T. 10 S., R. 71 W., SM. It is shown on the USGS Goodnews B-6 (1954) and B-7 (1954) quadrangles as a

single-lined stream with a gradient averaging thirty-five feet per mile. In an August 1983 aerial photograph (CIR-127-3271-83, frame 5578), the channel of the creek is clearly visible. Slate Creek narrows only slightly through the report area.

In the late 1910s, miners transported supplies to Wattamuse Creek on a small scow. How long and to what extent they relied upon this method of transportation is unknown. Like others in the region, they probably relied upon winter trails and roads in transporting heavy equipment--for example, the dredge that was built on Wattamuse Creek in 1938. An airfield was also built at the mouth of Wattamuse Creek.

Both Dahl and Whitton confirmed the use of boats on Slate Creek. Dahl said Clyde Huffman, a miner on Wattamuse Creek, used a small boat (15 to 18 feet) with a jet unit as far as Wattamuse Creek. Dahl's son also rafted down Slate Creek from the airstrip. According to Whitton, who mines on Fox Creek, a person should experience no difficulties in boating Slate Creek as far as Olympic Creek. Below Olympic Creek, Slate Creek is thirty to forty feet wide and three to four feet deep at low water stages. Above, the creek has more shallow places and fewer deep pools.

I determine Slate Creek navigable to the mouth of Olympic Creek. Miners used small boats to travel to Wattamuse Creek. Slate Creek's physical character below Olympic Creek is such that small boats can be taken to that tributary.

Puyulik Creek

This creek heads northeast of Knight Mountain in T. 13 S., R. 73 W., SM and flows ten miles to Goodnews River. This creek is shown on the USGS Goodnews A-7 (1954) quadrangle as double-lined from its mouth upstream into Sec. 1, T. 13 S., R. 74 W., SM. Its lowest 6.7 miles have an average gradient of thirty-seven feet per mile. In BLM's aerial photograph dated August 1983 (CIR 129-3271-83, frame 5561) the main channel appears small. It is tidally influenced in its lowest reaches, where it is within IC'd land. This creek enters selected lands in Sec. 7, T. 13 S., R. 73 W., SM.

I determine this creek nonnavigable. Eechuck and Schultz described this stream as being too shallow for boats. It would be impossible to enter this creek since it is only a trickle at low tide, and it has a very steep average gradient of fifty feet per mile within the selected area.

Salmon River

From a small valley between Red Mountain and Susie Mountain, Salmon River flows eight miles south-southwest to Kuskokwim Bay. The lowest mile of the river is located in the Togiak NWR. This river is shown on the Hagemeister Island D-6 (1950, limited revisions 1981) quadrangle. Its lowest three miles are double-lined. The river crosses ANCSA-selected lands in T. 14 S., R. 75 W., SM.

In 1933 the Goodnews Bay Mining Company acquired platinum claims in the area and began mining. The company in 1937 introduced a dredge on the Salmon River and by 1960 over half a million ounces of platinum had been produced. The extensive tailings cover about six miles of this river, stopping near the boundary of the Togiak NWR, as clearly shown by Cadastral Survey's orthophotos (Scale 2" = 1 mile) for Group Survey 194.

I determine the Salmon River nonnavigable. Due to extensive dredging, it was not in its natural condition at the time of Statehood in 1959.

Smalls River

About one and one-half miles of this river fall within ANCSA-selected lands in Sec. 7, T. 14 S., R. 74 W., SM., and Sec. 12, T. 14 S., R. 75 W., SM. The remainder is in IC'd lands.

This short river heads on the west face of Crater Hill and flows westerly for approximately ten miles to empty into the southwest corner of Goodnews Bay near the village of Platinum. Smalls River is shown on both USGS Goodnews A-7 (1954), A-8 (1954), and Hagemeister Island D-5 (1954) and D-6 (1950, limited revisions 1981) quadrangles as double-lined through Sec. 2, T. 14 S., R. 75 W., SM. Its lowest two miles are on the tidal delta and exhibit a gradient of less than twenty-five feet per mile. Beyond this, the gradient increases to over thirty-five feet per mile.

Local residents do not boat this river. In the summer of 1986 Lynette Nakazawa, a BLM-photointerpreter, examined the river. She believed it was too shallow for boats. Residents had their boats parked in the tidal area of its mouth. Schultz and Eechuck said that the Smalls River is too shallow for even a kayak. Schultz had observed its summer depth to be less than a foot deep. Platinum residents boat only a portion of the lowest mile, reaching their homes and storing their boats for the winter. This lowest portion is also tidal.

I determine Smalls River nonnavigable. Local residents use boats on the lowest mile and then only with the aid of the tide.

Carter Creek

The BLM excluded this creek from IC 886 as navigable and tidal to the point on the USGS Goodnews B-8 quadrangle where the double-lined stream becomes single-lined in Sec. 35, T. 10 S., R. 75 W., SM. The single-lined portion of the stream was IC'd.

Barnum Creek

The BLM excluded this creek from IC 886 as navigable through Secs. 2 and 3, T. 11 S., R. 72 W., SM, T. 10 S., R. 72 W., SM, and to and through Sec. 13, T. 10 S., R. 73 W., SM. (See Goodnews B-7 quadrangle in easement file.) Since no portion of this stream falls within ANCSA-selected lands, a navigability determination is not required here.

Sphinx Creek

The BLM excluded from IC 886 the double-lined portion of this creek on the USGS Goodnews A-7 quadrangle in T. 12 S., R. 73 W., SM., as navigable and tidal. It does not cross ANCSA-selected lands. A navigability determination is not required.

Tunulik River

This river, marked navigable and tidal on the USGS Goodnews A-7 quadrangle referenced in IC 886 was excluded from IC 886 as far as the northeast corner of Sec. 4, T. 12 S., R. 73 W., SM; that is, the double-lined portion on the USGS quadrangle. The remainder of the river (single-lined) in the township was IC'd.

Kinegnak and Unaluk Rivers

These rivers are within the Togiak NWR. Under the Submerged Lands Act, we are not required to make a navigability determination for these rivers because the U.S. retained title to the beds when Alaska became a State. The Kinegnak River traverses lands which have also been ANCSA-selected in Ts. 14 and 15 S., R. 74 W., SM; however, a navigability determination is not required because this river was in withdrawn status at the time of Statehood.

Other Water Bodies

The remaining streams less than three chains wide and lakes fifty acres in size are not suitable for navigation. The streams and creeks are too shallow, narrow, and/or too steep. The lakes are small and drained by small shallow creeks or are landlocked.

~~By~~ Robert W. Anderson

Enclosure:
Table 1

cc:

Kuitsaruk Inc.
Goodnews Bay, Alaska 99589

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Dave Fisher
Togiak National Wildlife Refuge
P.O. Box 10201
Dillingham, Alaska 99576

Ron Whitton
P.O. Box 411
Bethel, Alaska 99559

State of Alaska
Department of Natural Resources
Division of Land and Water Management
State Interest Determinations Unit
3601 C Street, P.O. Box 107005
Anchorage, Alaska 99510-7005

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

Arvig, Incorporated
Platinum, Alaska 99651

Branch of Planning and Development (920B)

Branch of Field Surveys (921)

Branch of Cartography (922)

Branch of Photogrammetry (924)

961:DKoenig:blj:05/27/88:1836u

Table 1

Navigable Rivers and Streams Less Than 198 Feet Wide and
Lakes Less Than 50 Acres in Size in Group Survey 194
to be Excluded on Survey Plats, by Township

Seward Meridian

Tps. 9-12 S., R. 70 W.
None.

T. 9 S., R. 71 W.
None.

T. 10 S., R. 71 W.
Slate Creek to Olympic Creek in Secs. 10, 16 and 21 (ANCSA-selected).

Tps. 11-16 S., R. 71 W.
None.

T. 9 S., R. 72 W.
None.

Tps. 10 and 11 S., R. 72 W.
Barnum Creek.

T. 12 S., R. 72 W.
South Fork Goodnews River.

Tps. 13-16 S., R. 72 W.
None.

T. 9 S., R. 73 W.
None.

T. 10 S., R. 73 W.
Barnum Creek to and through Section 13.

T. 11 S., R. 73 W.
None.

T. 12 S., R. 73 W.
Tunulik River and Sphinx Creek (double-lined portions on USGS quadrangle).

Tps. 13-18 S., R. 73 W.
None.

Tps. 9-18 S., R. 74 W.

None.

T. 9 S., R. 75 W.

None.

T. 10 S., R. 75 W.

Indian River to and through Sec. 16; Carter Creek (double-lined portion on USGS quadrangle).

Tps. 11-19 S., R. 74 W.

None.

Tps. 10-13 S., 17-19 S., R. 76 W.

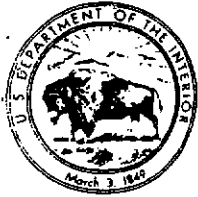
None.

Tps. 17 and 18 S., R. 77 W.

None.

Tps. 17 and 18 S., R. 78 W.

None.



United States Department of the Interior



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

**Slate Creek
Interim Summary Report
Attachment 9**

Goodnews-GS-FY'89-#3
Hagemeister Island-GS-FY'89-#1
Kuskokwim Bay-GS-FY'89-#4
(961)

FEB 17 1989

rec'd 2/21/89

Memorandum

To: Deputy State Director for Cadastral Survey (920)
From: Deputy State Director for Conveyance Management (960)
Subject: Navigable Waters in Small Tracts in Group Survey No. 194
(Window 1704)

This memorandum identifies navigable water bodies in certain small tracts to be surveyed in FY 1989. All tracts are located in the Goodnews survey window. The small tracts include 174 Native allotments and three cemeteries, and covers thirty-four townships. All the tracts are listed in Table 1 by township.

Only the following water bodies were reviewed:

1. Water bodies in Native allotments and other small claims located in conveyed areas (ICd and TAd); and
2. Water bodies in or along Native allotments and other small claims located on Federal lands (lands not selected under the Statehood Act or ANCSA other than the provisions applying to historical and cemetery sites).

Only historical and cemetery sites inspected by the BIA were reviewed. Navigable waters in areas selected or conveyed under the Statehood Act, the Native Allotment Act, and other provisions of ANCSA are identified in our memo dated June 6, 1988, for survey window 1704 (Goodnews).

Table 2 lists the small tracts which encompass or abut navigable waters. Streams 198 feet or more in width and lakes 50 acres or more in size are not listed in the table because they are excluded in the survey regardless of navigability. Goodnews River and its Middle Fork fall into this category. In addition, the list does not include navigable tidal streams. We understand that these will be identified and meandered at the time of survey.

The BLM's criteria for navigability determinations are described in a memorandum of March 16, 1976, from the Associate Solicitor, Division of Energy and Resources, to the Director, Bureau of Land Management (BLM), subject "Title to submerged lands for purposes of administering ANCSA"; the Alaska Native Claims Appeals Board's (ANCAB) decision of December 14, 1979, on the navigability of the Nation and Kandik rivers (RLS 76-2); the Regional Solicitor's February 25, 1980 interpretation of the ANCAB decision; and dicta in the U.S. District Court's decision (Case No. A80-359 Civ.) of April 16, 1987, on the navigability of the Gulkana River. In general, the BLM considers nontidal water bodies navigable if they were navigable by crafts larger than a one-person kayak at the time of Statehood.

The principal sources of information about the land status, history, and character of water bodies in the report area come from USGS maps, the BLM's Master Title Plats (MTPs), the Alaska Automated Lands and Mineral Record System (AALMRS); Dale Stirling's "A History of the Bristol Bay Region of Alaska" (unpublished manuscript, State of Alaska, 1985); C. Michael Brown's "Alaska Kuskokwim River Region: A History" (unpublished BLM manuscript, 1985); the BLM's navigability report for Group Survey No. 194 (memo, Robert W. Arndorfer to DSD for Cadastral Survey, June 6, 1988); BLM's infrared aerial photographs (CIR 60), and, most importantly, the individual Native allotment case files. The case files contain on-the-ground and low-level flight color photographs which, in most cases, easily confirm the physical characteristics of the investigated water body.

Osviak River (AA-6488, Betty Pavian)

This allotment is in Sec. 19, T. 15 S., R. 71 W., SM. In the Togiak National Wildlife Refuge, the claim borders the Osviak River seven miles from its mouth on Hagemeister Strait. See USGS Hagemeister Island D-4 quadrangle map, 1954. The first four and one-half miles of this river is actually a lagoon, varying from two-tenths to three-fourths of a mile in width. Six other Native allotments in this group survey border this lagoon/river where the water body is clearly tidal or meanderable. The river continues through the allotment approximately three chains in width, more or less.

The first eleven miles of the stream from Osviak has a gradient of about two feet per mile. The on-the-ground and low-level flight photos in the Native allotment casefile, and the infrared photos (CIR 60, roll 2907, frames 5776 and 5777, July 1980) all clearly show this wide, unobstructed river. The photos show a number of vegetated islands and unvegetated gravel bars in the stream course. Gravel bars are also visible on the bends. The river bottom is not visible in the photos. There is no apparent evidence of rapids, riffles, or boulders in the river. The two single-lined streams flowing east to west through this allotment are mostly overgrown with vegetation and are non-navigable.

There is little documentation of this river's navigability. In the 1880's, two separate exploring parties may have descended the river in canoes and kayaks in their journey from the Kuskokwim region to the Bristol Bay region. In 1880, State of Alaska employees contacted three local residents (Dillingham and Lake Aleknagik) who believed that the river was navigable. None had actually boated it. (Stirling, p. 171.)

Betty Pavian and her husband may travel to the allotment by boat. In her application, she indicated that she picked berries there in September. In 1973, a BLM employee found a metal shed on a hill overlooking the river and two snowmobiles nearby. The employee recommended that a shoreline easement for public boat landings be reserved. (Phillip D. Moreland, Land Report, July 31, 1973, AA-6488.)

I determine the Osviak River on the eastern boundary of this allotment navigable. There is some evidence that small boats are used on this river. The wide and unobstructed character of this stream is clearly supported by aerial and ground photographs.

Puyulik Creek (FF-013656, Andy J. Chingliak)

This allotment is in Sec. 6, T. 13 S., R. 73 W., SM, and Sec. 1, T. 13 S., R. 74 W., SM. It is located on the USGS Goodnews Bay (A-7) quadrangle map (1954, Minor Revisions 1984). It is completely within IC 536 and is crossed from south to north by Puyulik Creek. This creek was listed as tidal influenced approximately to Sec. 1, T. 13 S., R. 74 W., SM, and was excluded from IC 536. (See memorandum of May 13, 1983, from Robert W. Faithful IV to Chief, Division of ANCSA and State Conveyances.) This distance closely conforms to the double-lined portion which enters the allotment for one-sixth mile on the USGS map. The remainder of the creek is single-lined. The first two miles of the creek has a gradient of about twenty-nine feet per mile. In the NASA aerial photograph (CIR 60, roll 3271, frame 5561, August 1983), the creek is clearly visible. It is about fifty feet wide. Numerous mud or sand bars are on the creek's bends.

In past years, the BLM received reports that the creek was not navigable. Keith Schultz, biologist for the Alaska Department of Fish and Game, said that during low tide Puyulik Creek was "just a trickle" and would be impossible to enter. He was not sure how far up one could go on a high tide. This same report quoted Willie Eechuck, a Native of Platinum, as saying that "Puyulik Creek is too shallow and full of trees for BLM's smallest commercial boat [18-foot wooden boat] or any boat." (David C. Rukke to File F-14862-EE, November 21, 1986.) During a meeting on October 5, 1982, State of Alaska employees said they considered Puyulik Creek to be navigable. Representatives of the regional and village corporations did not comment on the creek. (Brown, 1985, page 601).

Based on the aerial infrared photograph, the section of the creek double-lined on the USGS maps appears to have ample water and is sufficiently wide and generally unobstructed for navigation by small boats. This section extends to the NE¼NE¼, Sec. 1, T. 12 S., R. 74 W., SM. The photos in the Native allotment case file indicate that Puyulik Creek is sufficiently wide and unobstructed, certainly during periods of high water, to allow navigation by small boats.

I determine that portion of Puyulik Creek double-lined on the USGS maps navigable. Thus the navigability of this creek extends approximately to the twenty-five-foot contour line in this allotment. Both high level and low level photographs confirm the physical susceptibility of this stream during high water to navigation by small boats, canoes or rafts.

Other Small Tracts and Water Bodies

I determine all other water bodies in Native allotments and cemetery sites in the report area non-navigable. They are too steep, narrow, or shallow for navigation. The same applies to the case of small tracts on Federal lands fronting on water bodies.

Wayne A. Boden

cc:

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

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

Table 1

Small Tracts in
Group Survey 194 (Window 1704) Scheduled
for Survey in FY 1989, by Township

Seward Meridian

T. 9 S., R. 70 W.
AA-037801-A

T. 10 S., R. 71 W.
AA-054569-B
AA-540569-C
FF-0015605-A
FF-018369-A
FF-018579-B

T. 11 S., R. 71 W.
FF-013659
FF-018206-B

T. 14 S., R. 71 W.
AA-6487

T. 15 S., R. 71 W.
AA-6488

T. 16 S., R. 71 W.
AA-037794-C
AA-006299

T. 12 S., R. 73 W.
FF-013766-A
FF-013766-B
FF-013775-C
FF-013780-A
FF-015949-A
FF-015949-C
FF-016203-A
FF-018204
FF-018209-A

T. 13 S., R. 73 W.
FF-013655
FF-013656
FF-018211-B

T. 17 S., R. 73 W.
AA-037808-B
AA-051854-A
AA-051854-B
AA-053571

T. 9 S., R. 74 W.
FF-18208-A

T. 10 S., R. 72 W.
AA-037794-D
FF-015605-B
FF-018207-C
FF-018441-D

T. 11 S., R. 72 W.
AA-037796
AA-037800-A
AA-037802-D
AA-037804
AA-037808-A
AA-053859-C
FF-013759-A
FF-013767-B
FF-013776-B
FF-013777-A
FF-013777-B
FF-015601
FF-015787
FF-015843
FF-015844-B
FF-015949-B
FF-018207-A
FF-018211-A

T. 12 S., R. 72 W.
AA-037795-B
AA-052703-D
FF-013660
FF-013758-A
FF-013758-B
FF-013758-C
FF-013775-B
FF-013776-A
FF-013777-C
FF-013799-A
FF-015624-B
FF-015766
FF-015844-A
FF-018206-A
FF-018210-B
FF-018369-B

T. 13 S., R. 72 W.
FF-013658-A

T. 16 S., R. 72 W.

AA-006312
AA-006361
AA-006364
AA-006485
AA-007265
AA-007267

T. 11 S., R. 73 W.

AA-037795-A
FF-018207-B

T. 9 S., R. 74 W.

AA-9800
FF-018208-A

T. 12 S., R. 74 W.

AA-9943
AA-013779-B
FF-013779-B
FF-016121
FF-016204-A
FF-016654
FF-018205-A

T. 13 S., R. 74 W.

AA-037801-B
AA-037801-C
FF-013657
FF-013775-A
FF-016175

T. 14 S., R. 74 W.

AA-037806-B
FF-013755

T. 15 S., R. 74 W.

AA-037794-B
FF-013780-B
FF-019058

T. 16 S., R. 74 W.

AA-037803-B
AA-037803-C
AA-054007-C
FF-017422-B
FF-017635-C
AA-058187-B

T. 9 S., R. 75 W.

FF-018208-B
FF-018208-C

T. 10 S., R. 75 W.

AA-037800-C
AA-037802-A
AA-053859-A
AA-058187-A
FF-015690
FF-017490-A
FF-018210-A
FF-018441-A
FF-018441-B
FF-018579-C

T. 11 S., R. 75 W.

AA-037803-A
FF-017421-D

T. 12 S., R. 75 W.

AA-037795-C
AA-037802-B
AA-055932
FF-013334
FF-013658-B
FF-013767-A
FF-013776-C
FF-016176
FF-016178
FF-016203-B
FF-016204-B
FF-017401
FF-017421-B
FF-017422-C
FF-018579-C

T. 13 S., R. 75 W.

A-054529-B
AA-037805-C
AA-037806-A
AA-037807-A
AA-054007-A
FF-013335
FF-013759-B
FF-015624-A
FF-015671
FF-017399
FF-017400
FF-017401

FF-017403-B
FF-017404
FF-017405
FF-017635-D
FF-018205-B

T. 14 S., R. 75 W.
AA-037807-B

T. 15 S., R. 75 W.
FF-017422-A
FF-016968

T. 16 S., R. 75 W.
AA-037794-A
AA-037800-B
AA-037802-C
AA-037805-A
AA-037805-B
AA-052703-B
AA-053997
AA-054006
AA-054007-B
FF-015691
FF-016969
FF-017421-A
FF-017490-B
FF-017635-A
FF-017635-B
FF-018206-D

T. 18 S., R. 75 W.
AA-6360

T. 11 S., R. 76 W.
AA-10018
AA-052703-A
FF-016179
FF-017421-C

T. 13 S., R. 76 W.
AA-037801-D
FF-013773

T. 18 S., R. 76 W.
AA-7802-A

T. 18 S., R. 77 W.
AA-037797-A

Table 2

Navigable Rivers and Streams Less Than 198 Feet Wide and
Lakes Less Than 50 Acres in Size in Group Survey 194
to be Excluded on Survey Plats, by Township

Seward Meridian

T. 15 S., R. 71 W.

AA-6488 - Native Allotment, Betty Pavian.
E $\frac{1}{4}$ Sec. 19 - Osviak River along western border

T. 13 S., R. 74 W.

FF-013656 - Native allotment, Andy J. Chingliak
NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 1 - Puyulik Creek to intersection
with twenty-five foot contour line.

Tps. 9-12 S., R. 70 W.

None.

T. 9 S., R. 71 W.

None.

T. 10 S., R. 71 W.

Slate Creek to Olympic Creek in Secs. 10, 16 and 21 (ANCSA-selected).

Tps. 11-14 S., R. 71 W.

None.

T. 15 S., R. 71 W.

Osviak River along Native allotment AA-6488
(Betty Pavian) in E $\frac{1}{4}$ Sec. 19

T. 16 S., R. 71 W.

None.

T. 9 S., R. 72 W.

None.

Tps. 10 and 11 S., R. 72 W.

Barnum Creek.

T. 12 S., R. 72 W.

South Fork Goodnews River.

Tps. 13-16 S., R. 72 W.

None.

T. 9 S., R. 73 W.

None.

T. 10 S., R. 73 W.

Barnum Creek to and through Section 13.

T. 11 S., R. 73 W.

None.

T. 12 S., R. 73 W.

Tumulik River and Sphinx Creek (double-lined portions on USGS quadrangle).

Tps. 13-18 S., R. 73 W.

None.

Tps. 9-12 S., R. 74 W.

None.

T. 13 S., R. 74 W.

Puyulik Creek in Native Allotment FF-013656 (Andy J. Chingliak) to end of double-line on map.

Tps. 14-18 S., R. 74 W.

None.

T. 9 S., R. 75 W.

None.

T. 10 S., R. 75 W.

Indian River to and through Sec. 16; Carter Creek (double-lined portion on USGS quadrangle).

Tps. 11-19 S., R. 74 W.

None.

Tps. 10-13 S., 17-19 S., R. 76 W.

None.

Tps. 17 and 18 S., R. 77 W.

None.

Tps. 17 and 18 S., R. 78 W.

None.



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Alaska State Office
222 W. 7th Avenue, #13
Anchorage, Alaska 99513-7599

AA-70147 (2653)
AA-70153 (2653)
AA-76421 (2627)
AA-76422 (2627)
(962) hc/jl

**Slate Creek
Interim Summary Report
Attachment 10**

DECEMBER 13 1995

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

DECISION

Calista Corporation	:	AA-70147 and AA-70153
Attn: Land Department	:	Regional Selection
601 West Fifth Avenue, Suite 200	:	Applications
Anchorage, Alaska 99501	:	
State of Alaska	:	AA-76421, AA-76422,
Department of Natural Resources	:	General Purposes Grant
Division of Land	:	State Selection Applications
Realty Services Section	:	
3601 C Street, Suite 960	:	
Anchorage, Alaska 99503-5936	:	

State's Filings of No Effect
State Sec. 906(e) Topfilings Rejected
Regional Selection Application Rejected in Part
Lands Proper for Regional Selection
Approved for Interim Conveyance

On September 30, 1976, Calista Corporation filed selection application AA-12466, as amended, under the provisions of Sec. 14(h)(8) of the Alaska Native Claims Settlement Act of December 18, 1971 (ANCSA), 43 U.S.C. 1613(h)(8), for the surface and subsurface estates of certain lands formerly withdrawn by Secs. 11(a)(1) and 11(a)(3) of ANCSA. However, much of their selection pattern did not meet the criteria under 43 CFR 2653.9(c), specifically the requirement to conform to the minimum two mile linear exterior boundary requirement. On November 7, 1988, Calista Corporation requested a waiver of the regulations pursuant to 43 CFR 2653.4(c) to reopen its regional land selection period and 43 CFR 2653.9(c) to waive the minimum two mile linear exterior boundary requirement in order to amend its selection pattern. Included with this request for waiver were new selection applications, including AA-70147 and AA-70153, as amended, for additional and different

lands including lands within Tps. 23 N., Rs. 49 and 50 W., Tps. 8-12 S., R. 71 W., and Tps. 7 and 8 S., R. 72 W., Seward Meridian, Alaska, pursuant to Sec. 14(h)(8) of the ANCSA. On May 21, 1991, the Secretary of the Interior approved such a waiver pursuant to 43 CFR 2653.4(c), excluding any lands located within the boundaries of the Yukon Delta and the Togiak National Wildlife Refuges, thereby allowing Calista Corporation's previously filed applications, including AA-70147 and AA-70153, as amended, to segregate the lands for potential conveyance pursuant to Sec. 14(h)(8) of ANCSA, as of the date of their filing. On June 24, 1991, Calista Corporation confirmed its selection.

Certain of these townships, including Tps. 23 N., Rs. 49 and 50 W., and Tps. 10-12 S., R. 71 W., Seward Meridian, were withdrawn by Sec. 11(a)(1) of the ANCSA for selection pursuant to that Act, including selection pursuant to Sec. 14(h)(8).

Certain other townships, including Tps. 8 and 9 S., R. 71 W., and T. 8 S., R. 72 W., Seward Meridian, were not withdrawn pursuant to Sec. 11(a)(1)(B), (C), 11(a)(3) or (16) of the ANCSA. Two of these townships, specifically, Tps. 8 and 9 S., R. 71 W., Seward Meridian, were withdrawn by Public Land Order (PLO) No. 5179 on March 9, 1972, and reserved for study and for possible recommendation to the Congress as additions to or creation as units of the national parks, forest, wildlife refuge and wild and scenic river systems, pursuant to Sec. 17(d)(2) of the ANCSA, for a period of two years. Upon expiration of that two year timeframe, the withdrawal of the lands under Sec. 17(d)(2) of the ANCSA terminated, and the lands then fell under Sec. 17(d)(1) withdrawal of the same Act. Sec. 17(d)(1) states " . . . the Secretary is authorized to classify or reclassify any lands so withdrawn and to open such lands to appropriation under the public land laws in accord with his classifications," thereby allowing for selection of these lands under Sec. 14(h)(8) of the ANCSA.

The third township, T. 8 S., R. 72 W., Seward Meridian, was withdrawn by PLO Nos. 5653 and 5654 on November 16, 1978 and November 17, 1978, respectively, to reserve the public lands to protect their resource values, pursuant to Sec. 204(e) of the Federal Lands Policy and Management Act of 1976, 43 U.S.C. 1714(e), for a period of three years. On December 2, 1980, Sec. 1322(a) of the Alaska National Interest Lands Conservation Act (ANILCA) rescinded these withdrawals, thereby opening the lands to selection under the public land laws including Sec. 14(h)(8) of the ANCSA.

On December 18, 1971, T. 7 S., R. 72 W., Seward Meridian, was withdrawn by Sec. 11(a)(1) of the ANCSA for selection pursuant to that Act, including selection pursuant to Sec. 14(h)(8). However, on March 9, 1972, PLO No. 5184 withdrew this township for study by the Secretary of the Interior for the purpose of classification or reclassification, pursuant to Sec. 17(d)(1) of the ANCSA. Subsequently, on November 16, 1978, and November 17, 1978, PLO Nos. 5653 and 5654, respectively, withdrew and reserved the public lands to protect their resource values, pursuant to Sec. 204(e) of the Federal Lands Policy and Management Act of 1976, 43 U.S.C. 1714(e), for a period of three years. Finally, on February 11, 1980, PLO No. 5703 withdrew these lands for inclusion in the Togiak National Wildlife Refuge. PLO Nos. 5653, 5654, and 5703 were rescinded by Sec. 1322(a) of the ANILCA on December 2, 1980; however, Sec. 303(6) of that act withdrew and reestablished these same

lands as the Togiak National Wildlife Refuge, the status in which they remain today. Sec. 14(h)(8) of the ANCSA states specifically:

"(1) The Secretary is authorized to withdraw and convey 2 million acres of unreserved and unappropriated public lands located outside the areas withdrawn by sections 11 and 16 . . ."

At no time during the selection period allowed by the ANCSA have the lands within T. 7 S., R. 72 W., Seward Meridian, been available for selection pursuant to Sec. 14(h)(8) of that Act. Therefore regional selection application AA-70153 must be and is hereby rejected as to those lands within Sec. 36, T. 7 S., R. 72 W., Seward Meridian, Alaska.

On December 31, 1992, the State of Alaska filed selection applications AA-76421 and AA-76422, pursuant to the Alaska Statehood Act of July 7, 1958, Pub. L. 85-508, 72 Stat. 339, as amended, and Sec. 906(e) of the Alaska National Interest Lands Conservation Act of December 2, 1980 (ANILCA), Pub. L. 96-487, 94 Stat. 2371, as amended, for lands described as Sec. 28, T. 23 N., R. 49 W., and Secs. 19 through 22, and 27 through 34, T. 23 N., R. 50 W., Seward Meridian, respectively. Sec. 6(b) of the Alaska Statehood Act provides that the State may select vacant, unappropriated and unreserved public lands in Alaska. State selection applications AA-76421 and AA-76422, describe lands which were validly selected on November 7, 1988, by Calista Corporation pursuant to Sec. 14(h)(8) of the ANCSA. These lands were not available for selection by the State of Alaska; therefore, the State's applications have no segregative effect as to these lands. The State's filings pursuant to Sec. 906(e) of ANILCA are hereby rejected.

As to the lands described below, regional selection applications AA-70147 and AA-70153, are properly filed and meet the requirements of the 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 and subsurface estates of the following-described lands, selected pursuant to Sec. 14(h)(8) of the ANCSA, aggregating approximately 34,046 acres, are considered proper for acquisition by Calista Corporation and are hereby approved for conveyance pursuant to Sec. 14(h)(8) of the ANCSA:

Seward Meridian, Alaska (unsurveyed)

T. 23 N., R. 49 W.,
Sec. 28.

Containing approximately 640 acres.

T. 23 N., R. 50 W.,
Secs. 19 to 22, inclusive;
Secs. 27 to 34, inclusive.

Containing approximately 7,607 acres.

✓ T. 8 S., R. 71 W.,
Secs. 3 and 4;
Sec. 5;
Sec. 6, excluding lots 1 and 2, U.S. Survey
No. 9422;
Secs. 7, 8 and 9;
✓ Sec. 10;
Secs. 18 and 19.

Containing approximately 6,254 acres.

T. 9 S., R. 71 W.
Sec. 36, excluding U.S. Survey
No. 10325.

Containing approximately 615 acres.

T. 10 S., R. 71 W.
Secs. 1 to 4, inclusive;
Secs. 9 and 10;
Sec. 15;
Sec. 16, excluding U.S. Survey
No. 9730.

Containing approximately 5,040 acres.

T. 11 S., R. 71 W.,
Secs. 13, and 14;
Secs. 23 and 24;
Secs. 25 and 26;
Secs. 35 and 36.

Containing approximately 5,010 acres.

T. 12 S., R. 71 W.,
Secs. 1 and 2.

Containing approximately 1,280 acres.

T. 8 S., R. 72 W.,
Sec. 1, excluding lot 1, U.S. Survey No. 9422;
Secs. 2 and 3;
Secs. 10 to 15, inclusive;
Secs. 22, 23 and 24.

Containing approximately 7,600 acres.

Aggregating approximately 34,046 acres.

Excluded from the above-described lands are the submerged lands, if any, up to the ordinary high water mark, beneath rivers or streams 3 chains wide (198 feet) and wider, and lakes 50 acres and larger, which are meanaderable according to the 1973 Bureau of Land Management Manual of Surveying Instructions, as modified by Departmental regulation 43 CFR 2650.5-1, and navigable waters, if any, of lesser size. These submerged lands will be identified at the time of survey.

All navigable water bodies will be identified at the time of survey.

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

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

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, copies of which can be found in the Bureau of Land Management's Public Land Records, are reserved to the United States. All easements are subject to applicable Federal, State, or municipal corporation regulation. The following is a listing of uses allowed for each type of easement. Any uses which are not specifically listed are prohibited.

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

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

- a. (EIN 3 C3, C4, D1, D9) An easement twenty-five (25) feet in width for an existing access trail from Sec. 31, T. 7 S., R. 71 W., Seward Meridian, southwesterly, to Sec. 10, T. 8 S., R. 72 W., Seward Meridian. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement.

This easement is subject to the State of Alaska's claimed R.S. 2477 right-of-way, if valid.

- b. (EIN 3a C3, C4, D1, D9) An easement twenty-five (25) feet in width for an existing access trail from Sec. 10, T. 8 S., R. 72 W., Seward Meridian, southwesterly, to

public land in Sec. 27, T. 8 S., R. 72 W., Seward Meridian. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement. The season of use is limited to winter.

This easement is subject to the State of Alaska's claimed R.S. 2477 right-of-way, if valid.

- c. (EIN 3b C3, C4, D1, D9) An easement twenty-five (25) feet in width for an existing access trail from Sec. 10, T. 8 S., R. 72 W., Seward Meridian, southwesterly, to public land in Sec. 27, T. 8 S., R. 72 W., Seward Meridian. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement. The season of use is limited to summer.

This easement is subject to the State of Alaska's claimed R.S. 2477 right-of-way, if valid.

- d. (EIN 4 C3, C4, D1, D9) An easement twenty-five (25) feet in width for an existing access trail from Sec. 21, T. 10 S., R. 71 W., Seward Meridian, northeasterly, generally paralleling Slate Creek to the intersection EIN 6a, C4, D9, Sec. 15, T. 10 S., R. 71 W., Seward Meridian, Alaska where the trail width becomes fifty (50) feet in width and continues paralleling Slate Creek to public lands in Sec. 25, T. 9 S., R. 71 W., Seward Meridian, Alaska. The uses allowed are those listed above for a twenty-five (25) and fifty (50) foot wide trail easement. The season of use is limited to winter, only on the twenty-five (25) foot wide section of EIN 4 C3, C4, D1, D9.

This easement is subject to the State of Alaska's claimed R.S. 2477 right-of-way, if valid.

- e. (EIN 8 C3, L) An easement fifty (50) feet in width for an existing access trail from EIN 8 C3, L in Sec. 33, T. 23 N., R. 49 W., Seward Meridian, northwesterly, paralleling Grouse Creek to public land. This trail proceeds through public land and enters the selection again in Sec. 27, T. 23 N., R. 50 W., Seward Meridian, following Return Creek and continuing on to public land in Sec. 36, T. 23 N., R. 51 W., Seward Meridian. The uses allowed are those listed above for a fifty (50) foot wide trail easement.

This easement is subject to the State of Alaska's claimed R.S. 2477 right-of-way, if valid.

- f. (EIN 6a, C4, D9) An easement fifty (50) feet in width for a proposed access trail from EIN 6 C4, D9, in Sec. 22, T. 10 S., R. 71 W., Seward Meridian, northwesterly to EIN 4 C3, C4, D1, D9 in Sec. 15, T. 10 S., R. 71 W., Seward Meridian. The uses allowed are those listed above for a fifty (50) foot wide trail easement.

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

1. Issuance of a patent after approval and filing by the Bureau of Land Management of the official plats of survey confirming the boundary description and acreage of the lands hereinabove granted; and
2. Valid existing rights therein, if any, including but not limited to those created by any lease, contract, permit, right-of-way, or easement, and the right of the lessee, contractee, permittee, or grantee to the complete enjoyment of all rights, privileges, and benefits thereby granted to him. Further, pursuant to Sec. 17(b)(2) of the Alaska Native Claims Settlement Act of December 18, 1971 (ANCSA), 43 U.S.C. 1601, 1616(b)(2), any valid existing right recognized by the ANCSA shall continue to have whatever right of access as is now provided for under existing law.

Calista Corporation is entitled to conveyance of a minimum of 248,243.14 acres of land selected pursuant to Sec. 14(h)(8) of the ANCSA. Together with the lands herein approved, approximately 84,341 acres of this entitlement have been approved for conveyance. The remaining entitlement will be conveyed at a later date.

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 Interior Board of Land Appeals, Office of Hearings and Appeals, in accordance with the regulations contained in 43 CFR, Part 4, and Form 1842-1 (copies enclosed). If an appeal is taken, the notice of appeal must be filed with the Bureau of Land Management, Alaska State Office, 222 West Seventh Avenue, #13, Anchorage, Alaska 99513-7599. The appellant has the burden of showing that the decision appealed from is in error. Failure to file the notice of appeal with the Bureau within the time allowed is a jurisdictional defect and will result in dismissal of the appeal. In order to avoid dismissal of the appeal, there must be strict compliance with the regulations. Copies of the notice of appeal must also be submitted to each party named in the heading of this decision and to the Office of the Regional Solicitor, Alaska Region,

U.S. Department of the Interior, 4230 University Drive, Suite 300, Anchorage, Alaska 99508-4626 at the same time the original documents are filed with this office. The time limits for filing an appeal are:

1. Parties receiving service of this decision by personal service or certified mail, return receipt requested, shall have thirty days from receipt of this decision to file an appeal.
2. Unknown parties, parties unable to be located after reasonable efforts have been expended to locate, parties who failed or refused to sign their return receipt, and parties who received a copy of this decision by regular mail which is not certified, return receipt requested, shall have until 13 JAN 1996 to file an appeal.

The Departmental regulations in 43 CFR 4.21 (58 FR 4939, copy enclosed) provide that parties entitled to file an appeal may file a request for a stay of the effectiveness of this decision during the time that the appeal is being reviewed by the Board. The request for a stay must accompany the notice of appeal submitted to the Bureau of Land Management (BLM) and a copy of both documents must be served on the Interior Board of Land Appeals, Office of Hearings and Appeals, 4015 Wilson Boulevard, Arlington, Virginia 22203, at the same time they are submitted to the BLM. A copy of the request for a stay must also accompany each copy of the notice of appeal submitted to the parties listed in the heading to this decision or specifically listed as parties to be served in the paragraph on filing an appeal. A request for a stay is required to show sufficient justification based on the standards listed below.

Standards for Obtaining a Stay

If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Except as otherwise provided by law or other pertinent regulation, the regulations in 43 CFR 4.21(b) provide that a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied,
- (2) The likelihood of the appellant's success on the merits,
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

/s/ Heather A Coats

Heather A. Coats
Land Law Examiner
Branch of Gulf Rim Adjudication

Enclosures:
Form 1842-1
Appeal Regulations
Federal Register Publication
(58 FR 4939, dtd 1/19/93)
Status Plats
Easement Maps
Easement Memos

Copy furnished to:

State of Alaska (CM-RRR)
Department of Transportation
and Public Facilities
Right of Way Branch
P.O. Box 196900
Anchorage, Alaska 99519-6900
(w/enclosures)

Commander (sr)
MLC PAC
Coast Guard Island
Alameda, California 94501-5100
(w/enclosures)

Commandant (G-ECU-4)
Attn: Marcia Eckman
U.S. Coast Guard
2100 Second Street, SW
Washington, D.C. 20593
(w/enclosures)

Department of Community and Regional
Affairs
Municipal and Regional Assistance Program
Municipal Trust Program
Attn: Rick Elliot
333 West 4th Avenue, Suite 200
Anchorage, Alaska 99501-2341
(w/cy enclosures)

Alaska Legal Services Corporation
1016 West Sixth Avenue, Suite 200
Anchorage, Alaska 99501

Alaska Legal Services Corporation
763 Seventh Avenue
Fairbanks, Alaska 99701

DM-Anchorage (040)

AA-54569 (2561)

AA-9493 (2653)

AA-8099-01 (2652)

AA-70147
AA-70153

**Slate Creek
Interim Summary Report
Attachment 11**

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
222 WEST SEVENTH AVENUE, #13
ANCHORAGE, ALASKA 99513-7599

INTERIM CONVEYANCE

WHEREAS

Calista Corporation

is entitled to a conveyance pursuant to Secs. 14(h)(8) and 22(j) of the Alaska Native Claims Settlement Act of December 18, 1971, as amended, 43 U.S.C. 1601, 1613(h)(8), 1621(j), of the surface and subsurface estates in the following-described lands:

Seward Meridian, Alaska (unsurveyed)

T. 23 N., R. 49 W.
Sec. 28.

Containing approximately 640 acres.

T. 23 N., R. 50 W.
Secs. 19 to 22, inclusive;
Secs. 27 to 34, inclusive.

Containing approximately 7,607 acres.

T. 8 S., R. 71 W.
Secs. 3 and 4;
Sec. 5;
Sec. 6, excluding lots 1 and 2, U.S. Survey
No. 9422;

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1660

Date JANUARY 26 1996

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AA-70153

Secs. 7, 8 and 9;
Sec. 10;
Secs. 18 and 19.

Containing approximately 6,254 acres.

T. 9 S., R. 71 W.
Sec. 36, excluding U.S. Survey
No. 10325.

Containing approximately 615 acres.

T. 10 S., R. 71 W.
Secs. 1 to 4, inclusive;
Secs. 9 and 10;
Sec. 15;
Sec. 16, excluding U.S. Survey
No. 9730.

Containing approximately 5,040 acres.

T. 11 S., R. 71 W.
Secs. 13, and 14;
Secs. 23 and 24;
Secs. 25 and 26;
Secs. 35 and 36.

Containing approximately 5,010 acres.

T. 12 S., R. 71 W.
Secs. 1 and 2.

Containing approximately 1,280 acres.

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T. 8 S., R. 72 W.
Sec. 1, excluding lot 1, U.S. Survey No. 9422;
Secs. 2 and 3;
Secs. 10 to 15, inclusive;
Secs. 22, 23 and 24.

Containing approximately 7,600 acres.

Aggregating approximately 34,046 acres.

Excluded from the above-described lands herein conveyed are the submerged lands, if any, up to the ordinary high water mark, beneath rivers or streams 3 chains wide (198 feet) and wider and lakes 50 acres and larger, which are meanderable according to the 1973 Bureau of Land Management Manual of Surveying Instructions, as modified by Departmental regulation 43 CFR 2650.5-1, and navigable waters, if any, of lesser size. These submerged lands will be identified 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 and subsurface in the lands above described; TO HAVE AND TO HOLD the said lands 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:

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, copies of which can be found in the Bureau of Land Management's Public Land Records, are reserved

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AA-70153

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

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

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

- a. (EIN 3 C3, C4, D1, D9) An easement twenty-five (25) feet in width for an existing access trail from Sec. 31, T. 7 S., R. 71 W., Seward Meridian, southwesterly, to Sec. 10, T. 8 S., R. 72 W., Seward Meridian. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement.

This easement is subject to the State of Alaska's claimed R.S. 2477 right-of-way, if valid.

- b. (EIN 3a C3, C4, D1, D9) An easement twenty-five (25) feet in width for an existing access trail from Sec. 10, T. 8 S., R. 72 W., Seward Meridian, southwesterly, to public land in Sec. 27, T. 8 S., R. 72 W., Seward Meridian. The uses allowed are

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those listed above for a twenty-five (25) foot wide trail easement. The season of use is limited to winter.

This easement is subject to the State of Alaska's claimed R.S. 2477 right-of-way, if valid.

- c. (EIN 3b C3, C4, D1, D9) An easement twenty-five (25) feet in width for an existing access trail from Sec. 10, T. 8 S., R. 72 W., Seward Meridian, southwesterly, to public land in Sec. 27, T. 8 S., R. 72 W., Seward Meridian. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement. The season of use is limited to summer.

This easement is subject to the State of Alaska's claimed R.S. 2477 right-of-way, if valid.

- d. (EIN 4 C3, C4, D1, D9) An easement twenty-five (25) feet in width for an existing access trail from Sec. 21, T. 10 S., R. 71 W., Seward Meridian, northeasterly, generally paralleling Slate Creek to the intersection EIN 6a, C4, D9, Sec. 15, T. 10 S., R. 71 W., Seward Meridian, Alaska where the trail width becomes fifty (50) feet in width and continues paralleling Slate Creek to public lands in Sec. 25, T. 9 S., R. 71 W., Seward Meridian, Alaska. The uses allowed are those listed above for a twenty-five (25) and fifty (50) foot wide trail easement. The season of use is limited to winter, only on the twenty-five (25) foot wide section of EIN 4 C3, C4, D1, D9.

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AA-70153

This easement is subject to the State of Alaska's claimed R.S. 2477 right-of-way, if valid.

- e. (EIN 8 C3, L) An easement fifty (50) feet in width for an existing access trail from EIN 8 C3, L in Sec. 33, T. 23 N., R. 49 W., Seward Meridian, northwesterly, paralleling Grouse Creek to public land. This trail proceeds through public land and enters the selection again in Sec. 27, T. 23 N., R. 50 W., Seward Meridian, following Return Creek and continuing on to public land in Sec. 36, T. 23 N., R. 51 W., Seward Meridian. The uses allowed are those listed above for a fifty (50) foot wide trail easement.

This easement is subject to the State of Alaska's claimed R.S. 2477 right-of-way, if valid.

- f. (EIN 6a, C4, D9) An easement fifty (50) feet in width for a proposed access trail from EIN 6 C4, D9, in Sec. 22, T. 10 S., R. 71 W., Seward Meridian, northwesterly to EIN 4 C3, C4, D1, D9 in Sec. 15, T. 10 S., R. 71 W., Seward Meridian. The uses allowed are those listed above for a fifty (50) foot wide trail easement.

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

1. Issuance of a patent after approval and filing by the Bureau of Land Management of the official plats of survey confirming the boundary descriptions and acreage of the lands hereinabove granted; and
2. Valid existing rights therein, if any, including but not limited to those created by any lease, contract, permit, right-of-way, or easement, and the right of the lessee, contractee, permittee, or grantee to the

Interim Conveyance No. _____

1660

Date JANUARY 26 1996

AA-70147
AA-70153

complete enjoyment of all rights, privileges, and benefits thereby granted to him. Further, pursuant to Sec. 17(b)(2) of the Alaska Native Claims Settlement Act of December 18, 1971 (ANCSA), 43 U.S.C. 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.

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 26th day of January, 1996, in Anchorage, Alaska.

UNITED STATES OF AMERICA

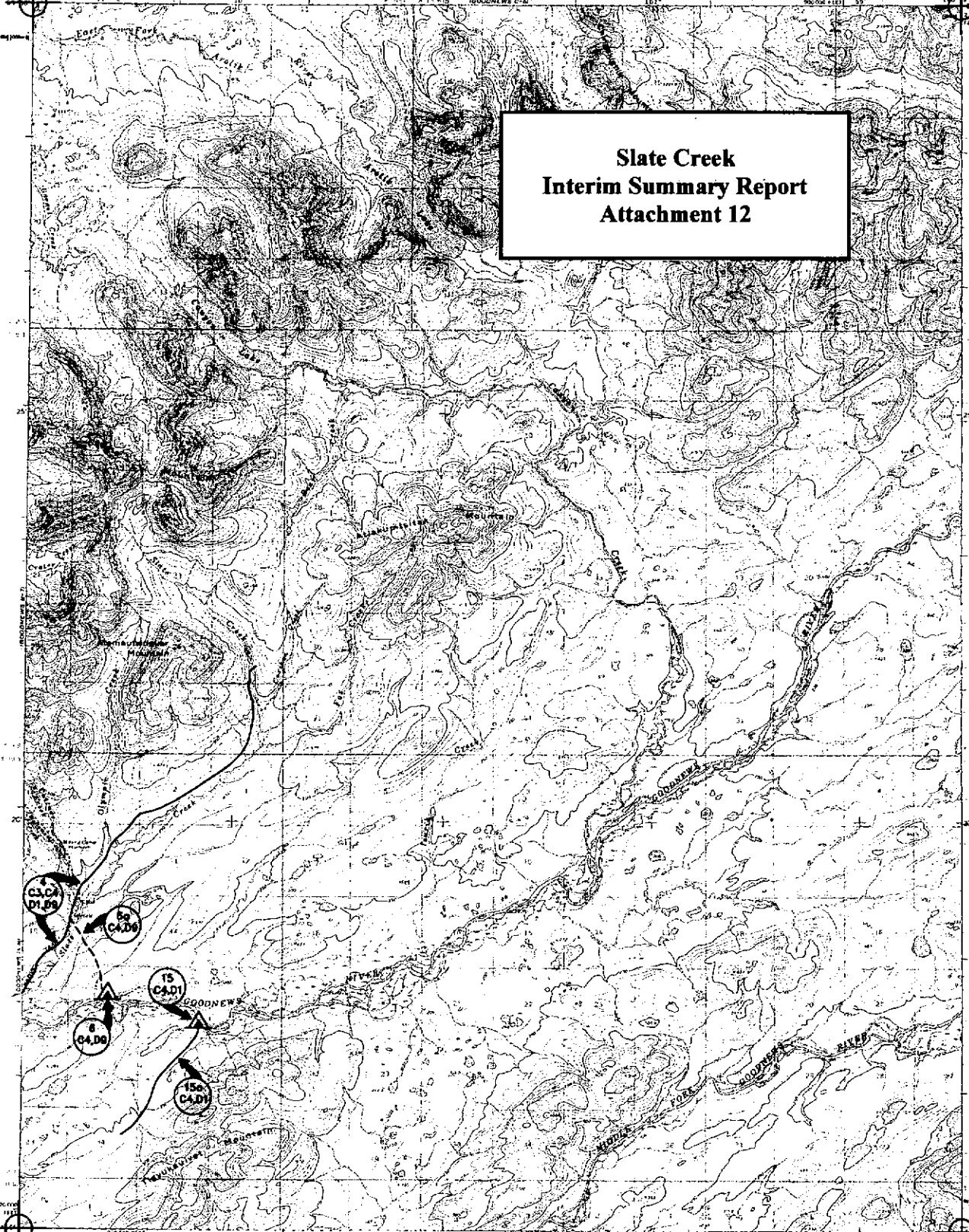
/s/ Terry R. Hassett

Terry R. Hassett
Chief, Branch of Gulf Rim
Adjudication

Interim Conveyance No. 1660

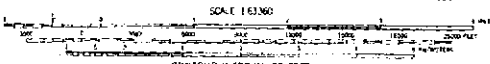
Date JANUARY 26 1996

**Slate Creek
Interim Summary Report
Attachment 12**



Mapped by the Army Map Service
Edited and published by the Geological Survey
Control by USCGS and NICE
Transfer to USGS by methods from aerial photographs
taken 1957, field annotated 1954. Map not field checked
Universal Transverse Mercator projection 1927 North American datum
10,000-foot grid based on Alaska level datum system, zone 7
1000-meter Universal Transverse Mercator grid ticks,
zone 4, 500m in true
1 and 1/2 inch "to-stone" at surveyed and unmarked locations
produced by the Bureau of Land Management
Form 5-25, Second Edition

ANNOUANCE 8748
E12L, MAR 1954



CONTOUR INTERVAL 50 FEET
DOTTED LINES REPRESENT 25 FOOT CONTOURS
500 FT IS MEAN SEA LEVEL



ROAD CLASSIFICATION
Unimproved dirt

Goodnews Bay B-6

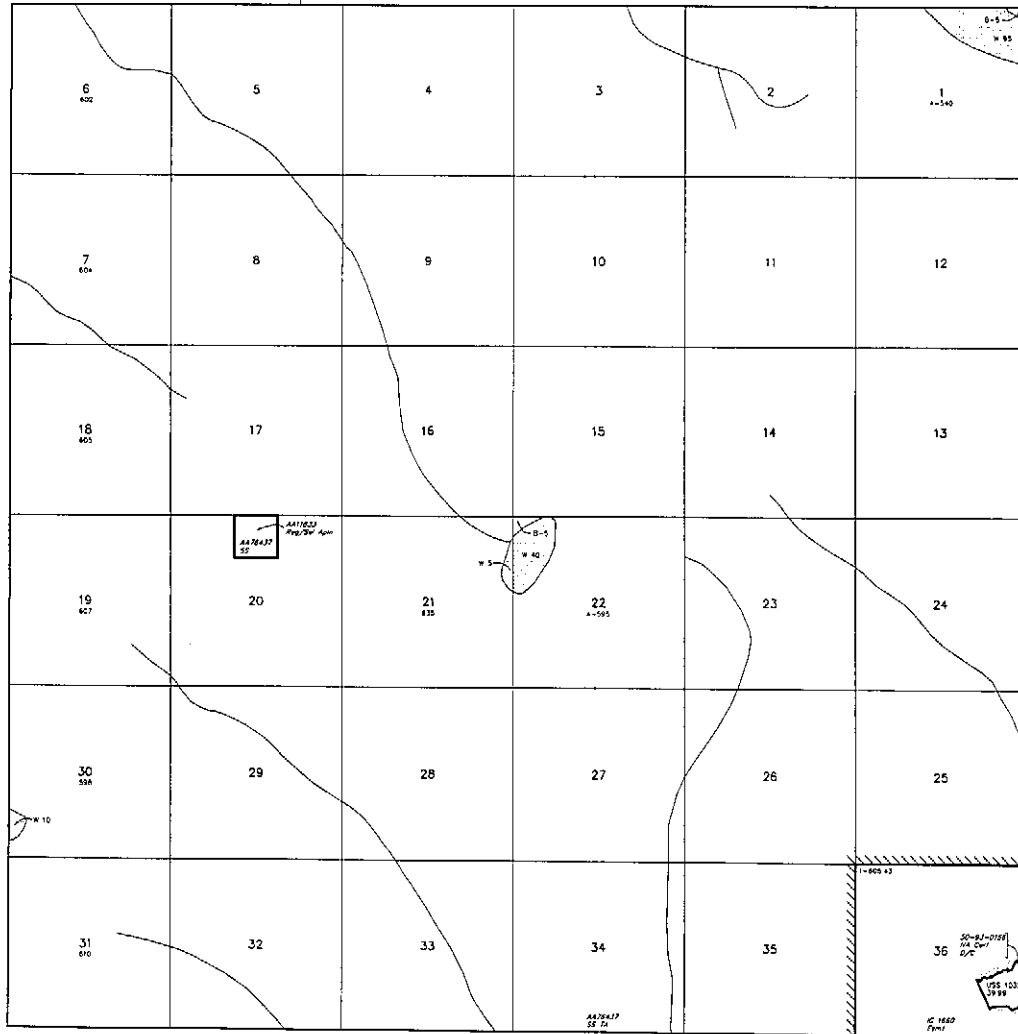
GOODNEWS (B-6), ALASKA
H5915-A(1)5022.5(15022.5)

1954

FOR SALE BY U.S. GEOLOGICAL SURVEY
FAIRBANKS, ALASKA 99701, DENVER, COLORADO 80202, OR RESTON, VIRGINIA 22092
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

PARTIALLY SURVEYED TOWNSHIP 9 SOUTH RANGE 71 WEST OF THE SEWARD MERIDIAN, ALASKA
 PROTRACTOR DIAGRAM NO. 520-14 OFFICIALLY FILED 1/27/1960

R 71W R 70W



STATUS OF PUBLIC DOMAIN
 LAND AND MINERAL TITLES

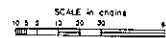
MTP

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

PLD 5128 Not Aid of Leg. & CI affects Lds/interests
 not surveyed

A-176437 SS Amal PL 98-487 Sec 308(e) Top Filed

**Slate Creek
 Interim Summary Report
 Attachment 13**



NOTES:
 This plat is the Bureau's Record of Title, and should be used
 only as a graphic index of the interests herein shown. This
 plat herein do not reflect the changes which may have been
 effected by proper instruments of record or other titles of record.
 Refer to the cadastral survey for official survey information.

Lat 59°20'48.79"N
 Long 161°08'46.34"W

CURRENT TO	Sew Mer
12-3-2008	T 9 S
	R 71 W

ACAD

MEANDERS

Along a well-defined bank, 2 ft. high, at the line of ordinary high water.

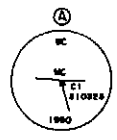
- 1. S. 77° 18' E., 1.09 Cha.
2. S. 75° 51' E., 0.78 Cha.
3. N. 46° 58' E., 2.21 Cha.
4. N. 75° 58' E., 0.75 Cha.
5. S. 36° 38' E., 0.88 Cha.
6. N. 71° 40' E., 1.18 Cha.
7. N. 56° 42' E., 1.18 Cha.
8. S. 31° 27' E., 0.48 Cha.
9. N. 51° 30' E., 2.12 Cha.
10. N. 09° 13' E., 0.81 Cha.
11. N. 36° 37' E., 1.17 Cha.
12. S. 47° 03' E., 0.47 Cha.
13. N. 60° 43' E., 1.17 Cha.
14. N. 36° 08' E., 1.24 Cha.
15. S. 03° 45' E., 0.98 Cha.
16. N. 63° 37' E., 1.44 Cha.
17. S. 30° 46' E., 0.27 Cha.
18. S. 9° 34' E., 0.90 Cha.
19. N. 03° 21' E., 2.02 Cha.
20. N. 28° 01' E., 2.98 Cha.
21. N. 36° 21' E., 1.54 Cha.
22. S. 77° 30' E., 0.82 Cha.
23. N. 56° 37' E., 0.27 Cha.

Along the top of a steep bank, 15 to 20 ft. high.

- 24. S. 24° 03' E., 0.36 Cha.
25. S. 01° 42' W., 0.28 Cha.
26. S. 05° 46' W., 0.47 Cha.
27. N. 44° 21' W., 0.34 Cha.
28. S. 05° 27' W., 1.27 Cha.
29. S. 43° 34' W., 1.28 Cha.

GRAVESITE

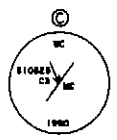
From W.C.M.C. No. 4
Gravelite bears N. 47° 12' E., 12.88 cha. dist., dimensions and bearing indeterminate.



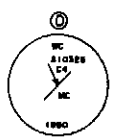
Set a stainless steel post, 20 in. long, 1/2 in. diam., 20 in. in the ground, with brass cap mtd. as shown, from which
A pink DEEP-1 magnet bears S. 45° E., 10 lbs. dist., 18 in. below ground.
A blue DEEP-1 magnet bears S. 45° W., 10 lbs. dist., 18 in. below ground.
Bury a clear DEEP-1 magnet beneath the witness cap.



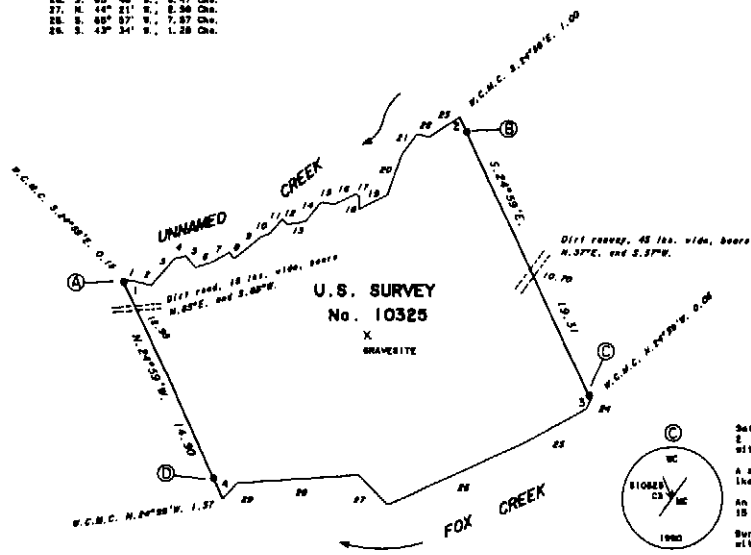
Set a stainless steel post, 20 in. long, 1/2 in. diam., 20 in. in the ground, with brass cap mtd. as shown, from which
A pink DEEP-1 magnet bears S. 70° E., 15 lbs. dist., 18 in. below ground.
A blue DEEP-1 magnet bears S. 20° W., 15 lbs. dist., 18 in. below ground.
Bury a clear DEEP-1 magnet beneath the witness cap.



Set a stainless steel post, 20 in. long, 1/2 in. diam., 20 in. in the ground, with brass cap mtd. as shown, from which
A silver DEEP-1 magnet bears N. 10° E., 15 lbs. dist., 18 in. below ground.
An orange DEEP-1 magnet bears N. 75° W., 15 lbs. dist., 18 in. below ground.
Bury a clear DEEP-1 magnet beneath the witness cap.



Set a stainless steel post, 20 in. long, 1/2 in. diam., 20 in. in the ground, with brass cap mtd. as shown, from which
A silver DEEP-1 magnet bears N. 20° E., 15 lbs. dist., 18 in. below ground.
An orange DEEP-1 magnet bears N. 70° E., 15 lbs. dist., 18 in. below ground.
Bury a clear DEEP-1 magnet beneath the witness cap.



I, PAUL E. FOX, Registered Alaska Land Surveyor No. 13-3745, HEREBY CERTIFY upon honor that in pursuance of Special Instructions dated May 1, 1989, and under Contract No. Y481-CY-340068, awarded September 26, 1988, I have executed the survey depicted on this plat in strict conformity with said Special Instructions. The Manual of Instructions for the Survey of the Public Lands of the United States, 1973, and in the specific manner described on this plat.
September 21, 1991
Date
Paul E. Fox
Registered Land Surveyor



U.S. SURVEY No. 10325, ALASKA

This plat contains the entire survey record.
This survey was executed by Paul E. Fox, Registered Alaska Land Surveyor No. 13-3745, for LOR (Lessor), Joint Venture, August 3, 1989 through August 8, 1990, in accordance with the specifications set forth in the Manual of Surveying Instructions, 1973, Special Instructions dated May 1, 1989, approved May 12, 1989, under Contract No. Y481-CY-340068 awarded September 26, 1988, and Notice to Proceed dated May 24, 1989.

Field assistants were:
Richard F. Ruttle, Land Surveyor
Bradley R. Davine, Surveying Technician
Harold E. Myers, Surveying Technician
Frederic W. Wagner, Surveying Technician
Area: 26.88 Acres.

The azimuth was obtained from direct observations of the sun, using the hour angle method, and refers to the true meridian.

The approximate geographic position of the witness corner to corner No. 1, a monoid corner, as sealed from U.S. Geological Survey quadrangle map "GOODNEWS (8-8)," Alaska, 1954 edition, is:

Latitude: 59°21.1' North (MAD 27)
Longitude: 161°08.3' West

The mean magnetic declination was taken from U.S. Geological Survey quadrangle map "GOODNEWS (8-8)," Alaska, 1954 edition.

This survey is located between the right bank of Fox Creek and the left bank of an unnamed creek, tributaries of Silet Creek off the Goodnews River, approximately 22 miles northwesterly of the village of Goodnews Bay, Alaska.

The U.L.S. Location Tag was found. The position of this survey was determined by the Contract Inspector from the description given in the Land Examiner's report.

The land is on a moderate southerly tundra slope, vegetated with willow, sedge grasses and berry plants.

The soil is gravel with sandy loam topsoil, no permafrost was encountered.

Access was by helicopter.

Acceptance of this survey does not purport to transfer any interest in submerged lands to which the State of Alaska is entitled under the Equal Footing Doctrine and Section 8(n) of the Alaska Statehood Act, P.L. 85-508, notwithstanding the use, location, or absence of monoid lines to depict water bodies.

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

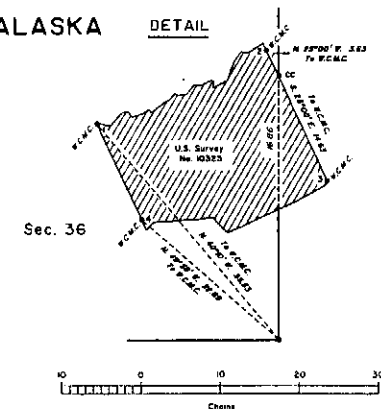
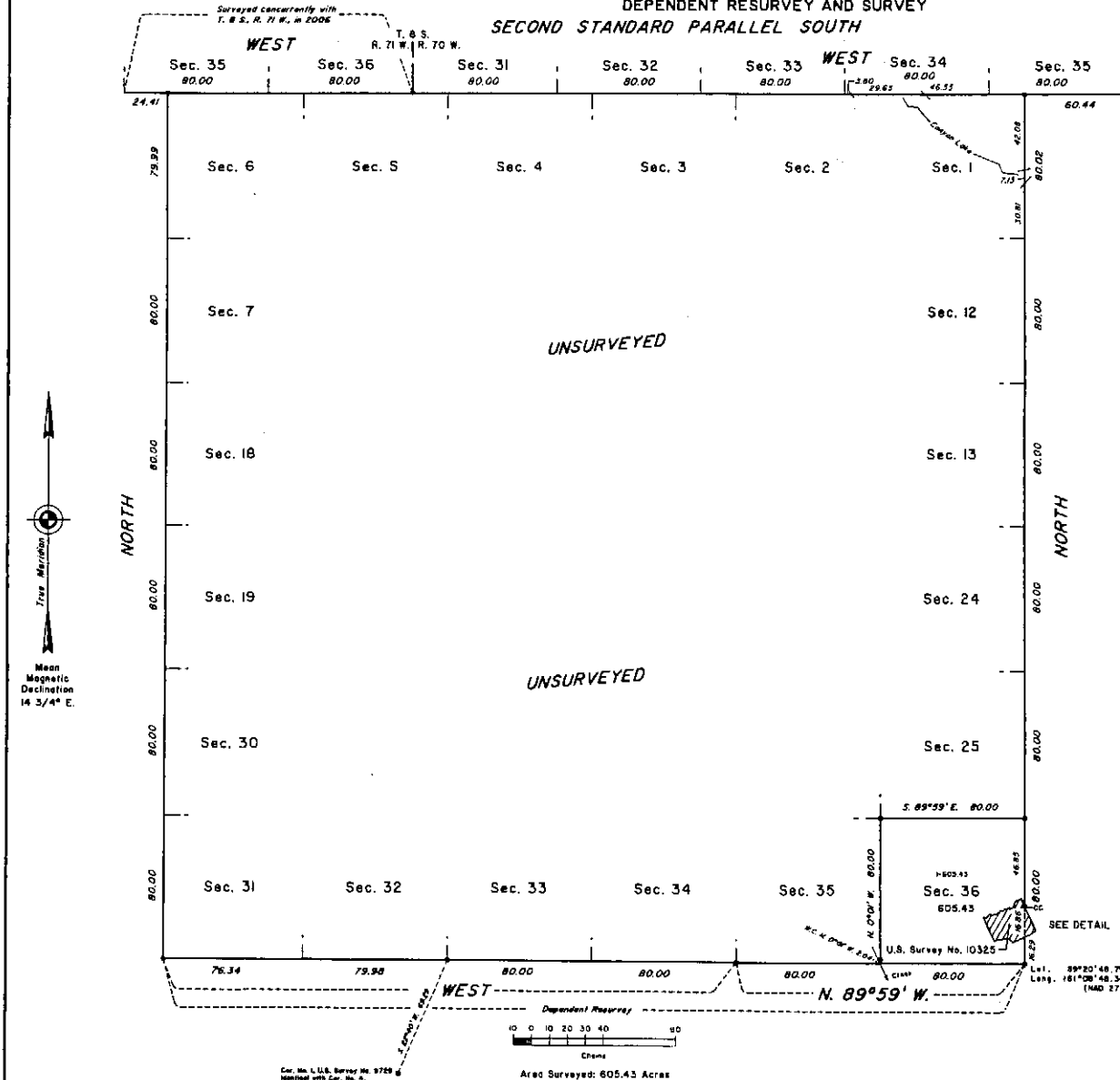
The survey represented by this plat, having been correctly executed in accordance with the requirements of law and the regulations of this Bureau, is hereby accepted.

For the Director
Richard A. Anderson 26 SEPTEMBER 1991
Date

Deputy State Director for Cadastral Survey, Alaska.

TOWNSHIP 9 SOUTH, RANGE 71 WEST, OF THE SEWARD MERIDIAN, ALASKA
DEPENDENT RESURVEY AND SURVEY
SECOND STANDARD PARALLEL SOUTH

DETAIL



The history of surveys is contained in the field notes.

This plat and field notes represent the dependent resurvey of the south boundary, the survey of the Second Standard Parallel South, along a portion of the south boundary of Township 9 South, Range 70 West, the east and west boundaries and a portion of the subdivisional lines of Township 9 South, Range 71 West, Seward Meridian, Alaska.

This survey was executed by Charles E. Akin, Jr., Registered Alaska Land Surveyor No. LS-5131, for Conitryve, Incorporated, July 13 through August 7, 2006, in accordance with the specifications set forth in the Manual of Surveying Instructions, 1973, the Special Instructions for Group No. 978, Alaska, dated December 6, 2005, approved April 7, 2006, Amended Special Instructions dated April 13, 2006, approved April 24, 2006, Contract No. NAA060005, dated June 29, 2006, and Notice to Proceed dated July 10, 2006.

The direction of all lines shown on this plat, including files, are reported as mean bearings with reference to the true meridian.

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

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

For the Director

John Searle 9/2/2008
Date

Deputy State Director for Cadastral Survey, Alaska



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

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



MAR 21 2006

9600 (927)

**Slate Creek
Interim Summary Report
Attachment 14**

Goodnews Bay-VS-FY-2006
Hagemeister Island -VS-FY-2006
F-14862-A (2651)
F-14862-A2 (2651)
F-14920-A (2651)
F-14920-A2 (2651)
F-14862-EE (75.4)
F-14920-EE (75.4)
AA-82829-FL (75.06)

Memorandum

To: Chief, Branch of Survey Planning and Preparation (927)

From: Chief, Navigability Section (927)

Subject: Navigable Waters within Village/Regional-Selected and Interim Conveyed (IC) lands in the vicinity of the Goodnews Bay-Platinum Survey Project (Window 2687)

This memorandum summarizes previously-identified navigable water bodies on certain ICd, regional and village-selected lands, within 19 townships in the vicinity of the villages of Goodnews Bay and Platinum. A portion of the Platinum village selection area is situated within the Togiak National Wildlife Refuge. These lands, which were unreserved at the time of Statehood, are scheduled for survey during the 2006 field survey season. The authority to identify navigable waters on these selected lands rests in the Alaska Statehood Act, Alaska Native Claims Settlement Act (ANCSA), and the Native Allotment Act.

The BLM has previously issued navigability determinations affecting most of the water bodies in the report area. The attached appendix lists all the townships affected by ANCSA ICs, regional and village land selections. Prior navigability determinations, if applicable, are indicated by the date of issue as to the affected lands.

Streams 198 feet or more in width are not listed because, regardless of their navigability status, they either are or will be segregated on the survey plats. The same is true for lakes fifty acres or more. BLM has, in the past, rendered navigability determinations on rivers wider than three chains such as the Goodnews River and the Middle Fork of the Goodnews River. While not typically noted in the Appendix these rivers are listed because we have found them navigable for travel, trade and commerce.¹

Only upland navigable rivers and streams less than three chains in width and lakes less than fifty acres in size which cross ICd lands and pending ANCSA regional selections and village selections that have been prioritized for conveyance are described.

All but five of the townships described below 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) easement quadrangles affecting ICd lands. The survey plats appear to accurately depict the navigable water bodies; therefore, no supplemental plats are required.

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. Ahtna, 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].

If water bodies are less than meanderable size, and not listed in the appendix, they are non-navigable. They are too short, steep-in-gradient, narrow, or shallow for travel, trade, and commerce.

/S/ **Dominica Vankoten**

¹ SD to Chief Division of ANCSA and State Conveyance (960) , July 29, 1982 and Assistant to the State Director for Conveyance Management (913) to Chief, Division of ANCSA and State Conveyances (960), March 3, 1983, BLM navigability files.

Attachment:

Appendix of Navigable Waters

cc:

State of Alaska
Department of Natural Resources
Division of Mining, Land and Water
Navigability Unit
550 W. 7th Avenue, Suite 1330
Anchorage, Alaska 99501-3579
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 99501-3579

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

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

Paul Liedberg, Refuge Manager
6 Main Street, Kangiiqutaq Building
P.O. Box 270
Dillingham, Alaska 99576

Kuitsarak, Incorporated
PO Box 10
Goodnews Bay, Alaska 99589-0010

ARVIQ, Inc.
P O Box 9
Platinum, Alaska 99651

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

Chief, Branch of Field Surveys (921)

Chief, Branch of Preparation and Resolution (962)

Chief, Branch Geographic Adjudication II (964)

Chief, Branch of Lands and Realty (932)

Ralph Basner (927)

Dominica VanKoten (927)

Rodney Harvey (954C)
(Electronic Copy)

Appendix

Navigable Water Bodies within Certain ANCSA Selections and
Interim Conveyed Lands

Goodnews Bay, Platinum Survey Project
(Calista Region)

Seward Meridian

T. 10 S., R. 71 W.

Secs. 1-4, 9, 10, 15 and 16 (IC 1660))
Slate Creek (report dated 6/6/88)
Secs. 5-8, 17-24 and 26-33
Goodnews River (report dated 7/29/82)

T. 11 S., R. 71 W.

Secs. 13, 14, 23-26, 35 and 36 (IC 1660)
Middle Fork Goodnews River (report dated 3/3/83)
Secs. 21, 22 and 28-32
Middle Fork Goodnews River (report dated 3/3/83)

T. 12 S., R. 71 W.

Secs. 1 and 2 (IC 1660)
South Fork Goodnews River (report dated 3/3/83)

T. 10 S., R. 72 W.

Secs. 1-5, 8-12, 15-17, 25
Goodnews River (report dated 7/29/82)

T. 11 S., R. 72 W.

Sec. 2 (IC 885)
Goodnews River, Barnum Creek (DIC dated 9/29/83)
Secs. 11, 14, 23, 25-29, 32-36
Goodnews River, Middle Fork Goodnews River (report dated 3/3/83)

T. 12 S., R. 72 W.

Sec. 10 (IC 885)
Middle Fork Goodnews River (DIC dated 9/29/83)
Secs. 1, 3, 4, 9, 11, 12, 14 and 15
Middle Fork Goodnews River, South Fork Goodnews River (report dated 3/3/83)

T. 10 S., R. 73 W.

Secs. 19 and 30
No navigable waters (report dated 2/17/89)

T. 12 S., R. 73 W.

Sec. 21 (IC 885)

No navigable waters (DIC dated 9/29/83)

T. 13 S., R. 73 W.

Secs. 1-5 and 7-18

No navigable waters (report dated 6/6/88)

T. 10 S., R. 74 W.

Secs. 10, 11, 13-15, 19-27, 34 and 35

No navigable waters (report dated 2/17/89)

T. 11 S., R. 74 W.

Sec. 3

No navigable waters (report dated 2/17/89))

T. 12 S., R. 74 W.

Sec. 28 (IC 885)

No navigable waters (report dated 2/17/89)

T. 13 S., R. 74 W.

Secs. 22-27 and 34-36 (IC 536)

No navigable waters (DIC dated 6/30/82)

T. 14 S., R. 74 W.

Secs. 7, 10-12, 17-20 and 30 (IC 1692)

No navigable waters (report dated 2/17/89)

Secs. 15, 16, 21, 22, 27-29 and 32-34

No navigable waters (report dated 2/17/89)

T. 15 S., R. 74 W.

Secs. 4 and 5

No navigable waters (report dated 6/6/88)

T. 10 S., R. 75 W.

Secs. 3, 10, 15, and 22-24

No navigable waters (report dated 2/17/89)

T. 13 S., R. 75 W.

Secs. 7, 19, 20, 29 and 32 (IC 536)

No navigable waters (DIC dated 6/30/82)

T. 14 S., R. 75 W.

Secs. 9-12, 16, 21, 22, 27, 28 and 33 (IC 1699)

No navigable waters

T. 15 S., R. 75 W.

Secs. 2-4, 9, 10, 15 and 16 (IC 1699)

No navigable waters



United States Department of the Interior

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



3/13/09
C. M. Mielke
3-13-09
C. J. Webb

In Reply Refer To:
F-14862-A (2651)
F-14862-A2 (2651)
F-14862-EE (75.4)
AA-8099-1 (2652)
AA-10118¹ (2653)
AA-70153 (2653)
AA-84417 (2653)
AA-76439 (2627)
AA-76440 (2627)
AA-76448 (2627)
AA-85882 (2920)
(965) cm/ccl/sla

**Slate Creek
Interim Summary Report
Attachment 15**

MAR 13 2009

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

DECISION

Kuitsarak, Incorporated	:	F-14862-A, F-14862-A2
P.O. Box 10	:	Village Selection Applications
Goodnews Bay, Alaska 99589-0010	:	
	:	
Calista Corporation	:	AA-10118, AA-10148, AA-11508,
Attn: Land Department	:	AA-11509, AA-11510, AA-11511,
301 Calista Court, Suite A	:	AA-11512, AA-11513, AA-11634,
Anchorage, Alaska 99518-3028	:	AA-11636, AA-70153, AA-84417,
	:	and AA-8099-1
	:	Regional Selection Applications
	:	
State of Alaska	:	
Department of Natural Resources	:	AA-76439, AA-76440
Division of Mining, Land and Water	:	and AA-76448
Realty Services Section	:	State Selection Applications
550 West Seventh Avenue, Suite 1050A	:	
Anchorage, Alaska 99501-3579	:	

¹ AA-10118, AA-10148, AA-11508, AA-11509, AA-11510, AA-11511, AA-11512, AA-11513, AA-11634, AA-11636

State Selection Applications Rejected
Regional Selection Applications Rejected
Village Selection Applications Rejected
Lands Proper for Village Selection
Approved for Conveyance

On November 13, 1974 and December 11, 1975, Kuitsarak Incorporated, for the Native village of Goodnews Bay, filed selection applications F-14862-A and F-14862-A2, under the provisions of Secs. 12(a) and 12(b), respectively, of the Alaska Native Claims Settlement Act of December 18, 1971 (ANCSA), 43 U.S.C. § 1611(a) and (b), for certain lands withdrawn by Sec.11(a)(1) of ANCSA in the vicinity of Goodnews Bay, Alaska.

STATE SELECTION APPLICATIONS REJECTED

On December 31, 1992, the State of Alaska filed selection applications AA-76439, AA-76440 and AA-76448, under the provisions of Sec. 6 of the Alaska Statehood Act of July 7, 1958, Pub. L. 85-508, 72 Stat. 339, as amended, for certain lands near the Native village of Goodnews Bay. Section 6 of the Alaska Statehood Act provides that the State may select vacant, unappropriated, and unreserved public lands in Alaska. The State selection applications describe lands which were validly selected on November 13, 1974 and December 11, 1975, by Goodnews Bay, in village selection applications F-14862-A and F-14862-A2, and are herein approved for conveyance. These lands were not available for selection by the State of Alaska; therefore, the State selection applications are rejected as to the lands described below:

U. S. Survey No. 9995, Alaska

Containing 18.24 acres.

U. S. Survey No. 13739, Alaska

Containing 6.01 acres.

Seward Meridian, Alaska

AA-76439

T. 10 S., R. 71 W.,
 Secs. 7 and 19;
 Sec. 20, lots 1 to 4, inclusive;
 Sec. 21, lots 1 to 8, inclusive;
 Sec. 22, lots 1 to 4, inclusive;
 Sec. 23, lots 1 to 4, inclusive;
 Sec. 24, lots 1 to 4, inclusive;
 Sec. 28;
 Sec. 29, lots 1 and 2;

Sec. 30, lots 1 to 4, inclusive;
 Sec. 31, lots 1 to 4, inclusive;
 Secs. 32 and 33.

Containing approximately 7,663 acres.

AA-76440

T. 10 S., R. 72 W.,
 Secs. 1 and 11;
 Sec. 25, lots 1, 2, and 3.

Containing approximately 1,824 acres.

AA-76448

T. 11 S., R. 72 W.,
 Secs. 11, 14, and 23;
 Secs. 25 to 28, inclusive;
 Sec. 29, lots 1 to 6, inclusive;
 Sec. 32, lots 1 and 2;
 Sec. 36, lots 1 to 4, inclusive.

Containing approximately 5,889 acres.

T. 12 S., R. 72 W.,
 Sec. 3, lots 1 to 4, inclusive;
 Sec. 4;
 Sec. 9; lots 1, 2, 4, 5, 6, 7, 8, 9, 10, and 11.

Containing approximately 1,831 acres.

Aggregating approximately 17,232 acres.

Because the above-described lands were not validly selected by the State of Alaska, the acreage rejected will not be charged against the village corporation's 69,120-acre limitation under Sec. 12(a)(1) of ANCSA as State-selected lands.

Further action on State selection applications AA-76439, AA-76440, and AA-76448 will be taken at a later date.

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

As described in the table below, Calista Corporation filed regional selection applications, respectively, pursuant to Sec. 14(h)(1) of ANCSA, 43 U.S.C. § 1613(h)(1). The lands described in these regional selection applications were previously selected on November 13, 1974 and December 11, 1975 by Kuitsarak Incorporated under Secs. 12(a) and 12(b) of ANCSA and are herein approved for conveyance to Kuitsarak Incorporated.

Application	Date Filed
AA-10118, as amended	October 31, 1975
AA-10148, as amended	October 31, 1975
AA-11508, as amended	June 3, 1976
AA-11509, as amended	June 3, 1976
AA-11510	June 3, 1976
AA-11511	June 3, 1976
AA-11512, as amended	June 3, 1976
AA-11513, as amended	June 3, 1976
AA-11634, amended	June 4, 1976
AA-11636, amended	June 4, 1976

Departmental regulations 43 CFR § 2651.4(d) states that village corporation selections shall be given priority over regional corporation selections for the same lands. Therefore, selection applications described in the table above are hereby rejected as to the lands herein approved for conveyance.

Case files AA-10118, AA-10148, AA-11508, AA-11509, AA-11510, AA-11511, AA-11512, AA-11513, AA-11634, and AA-11636 will be closed of record when this decision becomes final as there are no other lands remaining selected.

REGIONAL SECTION 14(h)(8) SELECTION APPLICATIONS REJECTED

On May 24, 1991 and April 13, 2004, Calista Corporation filed regional selection applications AA-70153 as amended, and AA-84417 pursuant to Sec. 14(h)(8) of ANCSA, 43 U.S.C. § 1613(h)(8). The lands selected were previously selected on November 13, 1974 and December 11, 1975, by Kuitsarak Incorporated under Secs. 12(a) and 12(b) of ANCSA and are herein approved for conveyance to Kuitsarak Incorporated. Departmental regulations 43 CFR § 2653.9 provide that lands available for Sec. 14(h)(8) selection are those lands withdrawn but not conveyed pursuant to Secs. 12(a) and 12(b). Therefore, selection applications AA-70153 and AA-84417 is hereby rejected as to the lands described below, which are a portion of the lands herein approved for conveyance. Further action on case files AA-70153 and AA-84417 as to the lands not rejected herein will be taken at a later date.

Seward Meridian, Alaska

AA-70153

T. 10 S., R. 71 S.,
 Sec. 19; lot 1;
 Sec. 20, lots 1 to 4, inclusive;
 Sec. 21, lots 1 to 8, inclusive;
 Sec. 22, lots 1 to 4, inclusive;
 Sec. 23, lots 1 to 4, inclusive;
 Sec. 24, lots 1 to 4, inclusive;
 Sec. 29, lots 1 and 2;
 Sec. 30, lots 1 to 4, inclusive.

Containing approximately 4,516 acres.

T. 12 S., R. 74 W.,
 Sec. 28.

Containing approximately 198 acres.

AA-84417

T. 10 S., R. 72 W.,
 Secs. 1 and 11.

Containing approximately 1,200 acres.

Aggregating approximately 5,914 acres.

REGIONAL IN LIEU SELECTION APPLICATION REJECTED

Calista Corporation filed subsurface in-lieu selection application AA-8099-1 on December 17, 1975, pursuant to Sec. 12(a)(1) of ANCSA, 43 U.S.C. § 1611(a)(1), as to certain lands in the vicinity of Goodnews Bay.

A portion of the lands described in selection application AA-8099-1 were validly selected by Kuitsarak Incorporated, for the Native village of Goodnews Bay, on December 11, 1975. As provided by Sec. 14(f) of ANCSA, 43 U.S.C. § 1613(f), regional corporations receive title to the subsurface estate in lands conveyed to village corporations. Kuitsarak Incorporated will receive title to the surface estate of a portion of the lands described in AA-8099-1; therefore, in-lieu selection application AA-8099-1 is hereby rejected as to the lands described below. Further action on in-lieu selection application AA-8099-1 as to those lands not rejected herein will be taken at a later date.

Seward Meridian, Alaska

T. 10 S., R. 71 W.,
Sec. 7.

Containing approximately 613 acres.

T. 10 S., R. 72 W.,
Sec. 1.

Containing approximately 560 acres.

Aggregating approximately 1,173 acres.

VILLAGE SECTION 12(b) SELECTION APPLICATION REJECTED

Kuitsarak Incorporated filed selection application F-14862-A2 pursuant to Sec. 12(b) of ANCSA for certain lands previously selected pursuant to Sec. 12(a). Therefore, selection application F-14862-A2 is hereby rejected as to the lands described below, which are a portion of the lands herein approved for conveyance. Further action on case file F-14862-A2 as to the lands not rejected herein will be taken at a later date.

U. S. Survey No. 9995, Alaska

Containing 18.24 acres.

U. S. Survey No. 13739, Alaska

Containing 6.01 acres.

Seward Meridian, Alaska

T. 10 S., R. 71 W.,
Sec. 20, lots 1 to 4, inclusive;
Sec. 21, lots 1 to 8, inclusive;
Sec. 22, lots 1 to 4, inclusive;
Sec. 23, lots 1 to 4, inclusive;
Sec. 24, lots 1 to 4, inclusive;
Sec. 28;
Sec. 30, lots 1 to 4, inclusive;
Sec. 31, lots 1, 2, and 3.

Containing approximately 4,655 acres.

T. 10 S., R. 72 W.,
Sec. 25, lots 1, 2, and 3.

Containing approximately 624 acres.

T. 11 S., R. 72 W.,
Secs. 11, 14, 23, and 26;
Secs. 27 and 28;
Sec. 29, lots 1 to 6, inclusive;
Sec. 32, lots 1 and 2.

Containing approximately 4,712 acres.

T. 12 S., R. 72 W.,
Sec. 1;
Sec. 3, lots 1 to 4, inclusive;
Sec. 4;
Sec. 9, lots 1 to 11, inclusive;
Secs. 11, lots 1 and 2;
Sec. 12, lots 1, 2, and 3;
Sec. 14, lots 1 to 4, inclusive;
Sec. 15, lots 1 to 4, inclusive.

Containing approximately 4,804 acres.

T. 12 S., R. 74 W.,
Sec. 28.

Containing approximately 198 acres.

Aggregating approximately 14,970 acres.

VILLAGE SECTION 12(a) SELECTION APPLICATION REJECTED

Kuitsarak Incorporated filed selection application F-14862-A pursuant to Sec. 12(a) of ANCSA for certain lands previously selected pursuant to Sec. 12(b). Therefore, selection application F-14862-A is hereby rejected as to the lands described below, which are a portion of the lands herein approved for conveyance. Further action on case file F-14862-A as to the lands not rejected herein will be taken at a later date.

Seward Meridian, Alaska

T. 10 S., R. 71 W.,
Sec. 19, lot 1;
Secs. 32 and 33.

Containing approximately 1,865 acres.

LAND APPROVED FOR CONVEYANCE

On December 5, 1979, the Bureau of Indian Affairs, under the authority of the Act of May 17, 1906, as amended, 43 U.S.C. 270-1 to 270-3 (1970), filed Native allotment application AA-37801, Parcel C on behalf of Mary Smith. Parcel C was described as 40 acres of land located in Sec. 10, T. 12 S., R. 72 W., Seward Meridian.

Kuitsarak Incorporated, for the Native village of Goodnews Bay, filed selection application F-14862-A on November 13, 1974 pursuant to Sec. 12(a) of ANCSA, for the surface estate of certain lands withdrawn by Sec. 11(a) of ANCSA, in the vicinity of Goodnews Bay, Alaska, including lands within Sec. 10, T. 12 S., R. 72 W., Seward Meridian.

Interim Conveyance Nos. 885 and 886 were issued to Kuitsarak Incorporated and Calista Corporation on August 30, 1984, for lands within T. 12 S., R. 72 W., Seward Meridian, excluding the original location of Parcel C.

On April 17, 2006, certificate of allotment 50-2006-0194 was issued for Parcel C, surveyed as lot 1, U. S. Survey No. 9632, Alaska, located within Sec. 18, T. 13 S., R. 74 W., Seward Meridian outside the area withdrawn for Goodnews Bay by ANCSA. Therefore, the former location of Native allotment AA-37801, Parcel C is considered available for selection and conveyance under Sec. 12(a) of ANCSA.

As to the lands described below, village selection application F-14862-A and F-14862-A2 are 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; neither do they include any submerged lands which passed to the State of Alaska under the Equal Footing Doctrine, U.S. Const. art. IV, § 3, and Sec. 6(m) of the Alaska Statehood Act of July 7, 1958, 72 Stat. 339.

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

In view of the foregoing, the surface estate of the lands described below, selected pursuant to Sec. 12(a) and Sec. 12(b) of ANCSA, aggregating approximately 24,600 acres, is considered proper for acquisition by Kuitsarak Incorporated and is hereby approved for conveyance pursuant to Sec.14(a) of ANCSA:

Section 12(a) Lands

U. S. Survey No. 9995, Alaska

Containing 18.24 acres.

U. S. Survey No. 13739, Alaska

Containing 6.01 acres.

Aggregating approximately 24.25 acres.

Seward Meridian, Alaska

T. 10 S., R. 71 W.,
 Sec. 20, excluding lots 1 and 2, U. S. Survey No. 9732;
 Sec. 21, excluding U. S. Survey No. 9730;
 Secs. 22, 23, 24, and 28;
 Sec. 29, excluding lots 1 and 2, U. S. Survey No. 9732;
 Sec. 30, excluding U. S. Survey No. 9731;
 Secs. 31.

Containing approximately 5,183 acres.

T. 10 S., R. 72 W.,
 Sec. 25, excluding U. S. Survey No. 9731.

Containing approximately 624 acres.

T. 11 S., R. 72 W.,
 Secs. 11, 14, and 23;
 Sec. 26 and 27;
 Sec. 28, excluding lot 6, U. S. Survey No. 9695;
 Sec. 29, excluding lots 1, 2, and 3, U.S. Survey No. 9694 and
 excluding lot 1, U. S. Survey No 9695;
 Sec. 32, excluding lots 1, 2, and 3, U. S. Survey No. 9693.

Containing approximately 4,712 acres.

T. 12 S., R. 72 W.,
 Secs. 1, 3, and 4;
 Sec. 9, excluding U. S. Survey No. 9538;
 Sec. 10, those lands formerly within Native Allotment Application
 AA-37801, Parcel C;
 Sec. 11, excluding lot 3, U. S. Survey No. 9651;
 Sec. 12;
 Sec. 14, excluding lot 3, U. S. Survey No. 9651;
 Sec. 15, excluding lots 1 and 2, U. S. Survey No. 9651.

Containing approximately 4,844 acres.

T. 12 S., R. 74 W.,
 Sec. 28, excluding lot 3, U. S. Survey No. 9455.

Containing approximately 198 acres.

Aggregating approximately 15,587 acres.

Section 12(b) Lands

Seward Meridian, Alaska

T. 10 S., R. 71 W.,
 Sec. 7;
 Sec. 19, excluding U. S. Survey No. 9731;
 Secs. 32 and 33.

Containing approximately 2,478 acres.

T. 11 S., R. 71 W.,
 Secs. 21, 22, 28, and 29;
 Sec. 30, excluding lot 2, U. S. Survey No. 9721;
 Sec. 31, excluding lots 1 and 2, U. S. Survey No. 9721;
 Sec. 32.

Containing approximately 4,159 acres.

T. 10 S., R. 72 W.,
 Sec. 1, excluding U. S. Survey No. 9713;
 Sec. 11.

Containing approximately 1,200 acres.

T. 11 S., R. 72 W.,
 Sec. 25;
 Sec. 36, excluding lot 1, U. S. Survey No. 9721.

Containing approximately 1,176 acres.

Aggregating approximately 9,013 acres.

Total Aggregate of Secs. 12(a) and 12(b) lands is approximately 24,600 acres.

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

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

Slate Creek to Olympic Creek, Goodnews River, Middle Fork Goodnews River,
 and South Fork Goodnews River

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

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

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

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

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

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

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

(EIN 4 C3, C4, D1, D9) An easement twenty-five (25) feet in width for an existing access trail from the village of Goodnews Bay in Sec. 21, T. 12 S., R. 73 W., Seward Meridian, northeasterly, generally paralleling the Goodnews River, to public lands in Sec. 16, T. 10 S., R. 71 W., Seward Meridian. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement. The season of use is limited to winter.

(EIN 6 C4, D9) A one (1) acre site easement upland of the ordinary high water mark in Sec. 22, T. 10 S., R. 71 W., Seward Meridian, Alaska, on the right bank of the Goodnews River. The uses allowed are those listed above for a one (1) acre site.

(EIN 6a C4, D9) An easement fifty (50) feet in width for a proposed access trail from site EIN 6 C4, D9 in Sec. 22, T. 10 S., R. 71 W., Seward Meridian, Alaska, northwesterly, to trail EIN 4 C3, C4, D1, D9 in Sec. 15, T. 10 S., R. 71 W., Seward Meridian, Alaska. The uses allowed are those listed above for a fifty (50) foot wide trail easement.

(EIN 15 C4, D1) A one (1) acre site easement upland of the ordinary high water mark in Sec. 23, T. 10 S., R. 71 W., Seward Meridian, on the left bank of the Goodnews River. The uses allowed are those listed above for a one (1) acre site.

(EIN 15a C4, D1) An easement twenty-five (25) feet in width for a proposed access trail from site EIN 15 C4, D1 in Sec. 23, T. 10 S., R. 71 W., Seward Meridian, south, to public lands.

(EIN 18, C5, D1) A one acre site easement upland of the ordinary high water along the southeastern portion of an island in the Goodnews River in the N ½ Section 29, T. 11 S., R. 72 W., Seward Meridian. This site easement will be located so as to not conflict with Native allotment F-15949B. The uses allowed are those listed in the Easement Memorandum of June 22, 1983, for a one (1) acre site.

(EIN 19, C5, D1) A one acre site easement upland of the ordinary high water along the right bank of the Middle Fork of the Goodnews River in the N1/2 Section 3, T. 12 S., R. 72 W., Seward Meridian. The uses allowed are those listed in the Easement Memorandum of June 22, 1983, for a one (1) acre site.

(EIN 22 D1) An easement twenty-five (25) feet in width for proposed access trail from EIN 4 C3 C4 D1 D9 in Sec 25, T. 10 S., R. 72 W., SM., northerly to public lands. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement.

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

1. Issuance of a patent confirming the boundary description and acreage of the lands hereinabove granted; and in accordance with a determination as to those islands, if any, that emerged from the bed of a navigable water body on or after January 3, 1959;
2. Valid existing rights therein, if any, including but not limited to those created by any lease, contract, permit, right-of-way, or easement, and the right of the lessee, contractee, permittee, or grantee to the complete enjoyment of all rights, privileges, and benefits thereby granted to him. Further, pursuant to Sec. 17(b) of the Alaska Native Claims Settlement Act of December 18, 1971 (ANCSA), 43 U.S.C. § 1616(b)(2) (1976), any valid existing right recognized by ANCSA shall continue to have whatever right of access as is now provided for under existing law; and
3. Requirements of Sec. 14(c) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. § 1613(c), as amended, that the grantee hereunder convey those portions, if any, of the lands hereinabove granted, as are prescribed in said section.

Fish weir permit AA-85882, located within Sec. 3, T. 12 S., R. 72 W., Seward Meridian, was issued to the State of Alaska on September 19, 2008, pursuant to Section 302 of the Federal Land Policy and Management Act of October 21, 1976, as amended, 43 U.S.C. § 1732. According to the terms of the permit, it will expire on the date the lands are transferred out of Federal ownership.

CONVEYANCE OF SUBSURFACE ESTATE

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

SURFACE ESTATE ENTITLEMENT SUMMARY

Kuitsarak Incorporated, for the Native village of Goodnews Bay, is entitled to conveyance of 115,200 acres of land selected pursuant to Sec. 12(a) and 9,600 acres of land selected pursuant to Sec. 12(b) of ANCSA. Together with the lands herein approved, the total acreage conveyed or approved for conveyance pursuant to Sec. 12(a) is approximately 15,587 acres and the total acreage conveyed or approved for conveyance pursuant to Sec. 12(b) is approximately 9,013 acres. The remaining entitlement of approximately 475 acres pursuant to Sec. 12(a) and approximately 587 acres pursuant to Sec. 12(b) will be conveyed at a later date.

GENERAL INFORMATION

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

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

APPEAL PROVISIONS

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

The time limits for filing an appeal are:

1. Parties receiving service of this decision by personal service or certified mail, return receipt requested, shall have thirty days from receipt of this decision to file an appeal.
2. Unknown parties, parties unable to be located after reasonable efforts have been expended to locate, parties who failed or refused to sign their return receipt, and parties who received a copy of this decision by regular mail which is not certified, return receipt requested, shall have until APR 13 2009 to file an appeal.

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

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

/s/ Charmain McMillan

Charmain McMillan
Land Law Examiner
Land Transfer Adjudication II

Enclosures:

Form 1842-1

Appeal regulations

Plats

Maps

Acreage Calculation Spreadsheet

Copy furnished to:

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

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

State of Alaska
Department of Fish and Game
Attn: John Linderman
P. O. Box 1467
Bethel, Alaska 99559
(w/plats and maps)

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

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

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

FM –Anchorage (011)

ANCSA Acreage Control (965)

Escrow (962)

Pat Moreno (961)

Becky Johnson, State Coordinator (965)

Dina Torres (962)

The United States of America

Interim Conveyance

F-14862-A
F-14862-A2

This interim conveyance is issued by the UNITED STATES, Department of the Interior, Bureau of Land Management, 222 West Seventh Avenue, #13, Anchorage, Alaska 99513-7504, as GRANTOR, to Kuitsarak Incorporated, P. O. Box 10, Goodnews Bay, Alaska 99589-0010, as GRANTEE, for lands in the Bethel Recording District.

WHEREAS

Kuitsarak Incorporated

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

Section 12(a) Lands

U. S. Survey No. 9995, Alaska

Containing 18.24 acres.

U. S. Survey No. 13739, Alaska

Containing 6.01 acres.

Aggregating 24.25 acres.

Seward Meridian, Alaska

T. 10 S., R. 71 W.,
Sec. 20, excluding lots 1 and 2, U. S. Survey No. 9732;
Sec. 21, excluding U. S. Survey No. 9730;
Secs. 22, 23, 24, and 28;
Sec. 29, excluding lots 1 and 2, U. S. Survey No. 9732;
Sec. 30, excluding U. S. Survey No. 9731;
Secs. 31.

Containing approximately 5,183 acres.

T. 10 S., R. 72 W.,
Sec. 25, excluding U. S. Survey No. 9731.

Containing approximately 624 acres.

T. 11 S., R. 72 W.,
Secs. 11, 14, and 23;
Sec. 26 and 27;
Sec. 28, excluding lot 6, U. S. Survey No. 9695;
Sec. 29, excluding lots 1, 2, and 3, U.S. Survey No. 9694 and
excluding lot 1, U. S. Survey No 9695;
Sec. 32, excluding lots 1, 2, and 3, U. S. Survey No. 9693.

Containing approximately 4,712 acres.

T. 12 S., R. 72 W.,
Secs. 1, 3, and 4;
Sec. 9, excluding U. S. Survey No. 9538;
Sec. 10, those lands formerly within Native Allotment Application
AA-37801, Parcel C;
Sec. 11, excluding lot 3, U. S. Survey No. 9651;
Sec. 12;
Sec. 14, excluding lot 3, U. S. Survey No. 9651;
Sec. 15, excluding lots 1 and 2, U. S. Survey No. 9651.

Containing approximately 4,844 acres.

T. 12 S., R. 74 W.,
Sec. 28, excluding lot 3, U. S. Survey No. 9455.

Containing approximately 198 acres.

Aggregating approximately 15,587 acres.

Section 12(b) Lands

Seward Meridian, Alaska

T. 10 S., R. 71 W.,
Sec. 7;
Sec. 19, excluding U. S. Survey No. 9731;
Secs. 32 and 33.

Containing approximately 2,478 acres.

T. 11 S., R. 71 W.,
Secs. 21, 22, 28, and 29;
Sec. 30, excluding lot 2, U. S. Survey No. 9721;
Sec. 31, excluding lots 1 and 2, U. S. Survey No. 9721;
Sec. 32.

Containing approximately 4,159 acres.

T. 10 S., R. 72 W.,
Sec. 1, excluding U. S. Survey No. 9713;
Sec. 11.

Containing approximately 1,200 acres.

T. 11 S., R. 72 W.,
Sec. 25;
Sec. 36, excluding lot 1, U. S. Survey No. 9721.

Containing approximately 1,176 acres.

Aggregating approximately 9,013 acres.

Total Aggregate of Secs. 12(a) and 12(b) lands is approximately 24,600 acres.

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

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

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

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

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

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

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

(EIN 4 C3, C4, D1, D9) An easement twenty-five (25) feet in width for an existing access trail from the village of Goodnews Bay in Sec. 21, T. 12 S., R. 73 W., Seward Meridian, northeasterly, generally paralleling the Goodnews River, to public lands in Sec. 16, T. 10 S., R. 71 W., Seward Meridian. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement. The season of use is limited to winter.

(EIN 6 C4, D9) A one (1) acre site easement upland of the ordinary high water mark in Sec. 22, T. 10 S., R. 71 W., Seward Meridian, Alaska, on the right bank of the Goodnews River. The uses allowed are those listed above for a one (1) acre site.

(EIN 6a C4, D9) An easement fifty (50) feet in width for a proposed access trail from site EIN 6 C4, D9 in Sec. 22, T. 10 S., R. 71 W., Seward Meridian, Alaska, northwesterly, to trail EIN 4 C3, C4, D1, D9 in Sec. 15, T. 10 S., R. 71 W., Seward Meridian, Alaska. The uses allowed are those listed above for a fifty (50) foot wide trail easement.

(EIN 15 C4, D1) A one (1) acre site easement upland of the ordinary high water mark in Sec. 23, T. 10 S., R. 71 W., Seward Meridian, on the left bank of the Goodnews River. The uses allowed are those listed above for a one (1) acre site.

(EIN 15a C4, D1) An easement twenty-five (25) feet in width for a proposed access trail from site EIN 15 C4, D1 in Sec. 23, T. 10 S., R. 71 W., Seward Meridian, south, to public lands.

(EIN 18, C5, D1) A one acre site easement upland of the ordinary high water along the southeastern portion of an island in the Goodnews River in the N ½ Section 29, T. 11 S., R. 72 W., Seward Meridian. This site easement will be located so as to not conflict with Native allotment F-15949B. The uses allowed are those listed in the Easement Memorandum of June 22, 1983, for a one (1) acre site.

(EIN 19, C5, D1) A one acre site easement upland of the ordinary high water along the right bank of the Middle Fork of the Goodnews River in the N1/2 Section 3, T. 12 S., R. 72 W., Seward Meridian. The uses allowed are those listed in the Easement Memorandum of June 22, 1983, for a one (1) acre site.

(EIN 22 D1) An easement twenty-five (25) feet in width for proposed access trail from EIN 4 C3 C4 D1 D9 in Sec 25, T. 10 S., R. 72 W., SM., northerly to public lands. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement.

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

1. Issuance of a patent confirming the boundary description and acreage of the lands hereinabove granted; and in accordance with a determination as those islands, if any, that emerged from the bed of a navigable water body on or after January 3, 1959;
2. Valid existing rights therein, if any, including but not limited to those created by any lease, contract, permit, right-of-way, or easement, and the right of the lessee, contractee, permittee, or grantee to the complete enjoyment of all rights, privileges, and benefits thereby granted to him. Further, pursuant to Sec. 17(b) of the Alaska Native Claims Settlement Act of December 18, 1971 (ANCSA), 43 U.S.C. § 1616(b)(2) (1976), any valid existing right recognized by ANCSA shall continue to have whatever right of access as is now provided for under existing law; and
3. Requirements of Sec. 14(c) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. § 1613(c), as amended, that the grantee hereunder convey those portions, if any, of the lands hereinabove granted, as are prescribed in said section.

IN WITNESS WHEREOF, the undersigned authorized officer of the Bureau of Land Management has, in the name of the United States, set his hand and caused the seal of the Bureau to be hereunto affixed on this 13th day of April, 2009, in Anchorage, Alaska.

UNITED STATES OF AMERICA

/s/ Richard Thwaites

Richard Thwaites
Chief, Land Transfer Adjudication II

Location Index for Recording Information:
USS 9995: Sec. 20, T. 10 S., R. 71 W., and
USS 13739: Sec. 31, T. 10 S., R. 71 W., SM

Return Recorded Document to:

Interim Conveyance No. _____

2211

Page 7 of 7

The United States of America

Interim Conveyance

F-14862-A
F-14862-A2

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

WHEREAS

Calista Corporation

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

Interim Conveyance No. **2211**

Section 12(a) Lands

U. S. Survey No. 9995, Alaska

Containing 18.24 acres.

U. S. Survey No. 13739, Alaska

Containing 6.01 acres.

Aggregating 24.25 acres.

Interim Conveyance No. **2212**

Seward Meridian, Alaska

T. 10 S., R. 71 W.,
Sec. 20, excluding lots 1 and 2, U. S. Survey No. 9732;
Sec. 21, excluding U. S. Survey No. 9730;
Secs. 22, 23, 24, and 28;
Sec. 29, excluding lots 1 and 2, U. S. Survey No. 9732;
Sec. 30, excluding U. S. Survey No. 9731;
Secs. 31.

Containing approximately 5,183 acres.

T. 10 S., R. 72 W.,
Sec. 25, excluding U. S. Survey No. 9731.

Containing approximately 624 acres.

T. 11 S., R. 72 W.,
Secs. 11, 14, and 23;
Sec. 26 and 27;
Sec. 28, excluding lot 6, U. S. Survey No. 9695;
Sec. 29, excluding lots 1, 2, and 3, U.S. Survey No. 9694 and
excluding lot 1, U. S. Survey No 9695;
Sec. 32, excluding lots 1, 2, and 3, U. S. Survey No. 9693.

Containing approximately 4,712 acres.

T. 12 S., R. 72 W.,
Secs. 1, 3, and 4;
Sec. 9, excluding U. S. Survey No. 9538;
Sec. 10, those lands formerly within Native Allotment Application
AA-37801, Parcel C;
Sec. 11, excluding lot 3, U. S. Survey No. 9651;
Sec. 12;
Sec. 14, excluding lot 3, U. S. Survey No. 9651;
Sec. 15, excluding lots 1 and 2, U. S. Survey No. 9651.

Containing approximately 4,844 acres.

T. 12 S., R. 74 W.,
Sec. 28, excluding lot 3, U. S. Survey No. 9455.

Containing approximately 198 acres.

Aggregating approximately 15,587 acres.

Section 12(b) Lands

Seward Meridian, Alaska

T. 10 S., R. 71 W.,
Sec. 7;
Sec. 19, excluding U. S. Survey No. 9731;
Secs. 32 and 33.

Containing approximately 2,478 acres.

T. 11 S., R. 71 W.,
Secs. 21, 22, 28, and 29;
Sec. 30, excluding lot 2, U. S. Survey No. 9721;
Sec. 31, excluding lots 1 and 2, U. S. Survey No. 9721;
Sec. 32.

Containing approximately 4,159 acres.

T. 10 S., R. 72 W.,
Sec. 1, excluding U. S. Survey No. 9713;
Sec. 11.

Containing approximately 1,200 acres.

T. 11 S., R. 72 W.,
Sec. 25;
Sec. 36, excluding lot 1, U. S. Survey No. 9721.

Containing approximately 1,176 acres.

Aggregating approximately 9,013 acres.

Total Aggregate of Secs. 12(a) and 12(b) lands is approximately 24,600 acres.

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

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

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

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

IN WITNESS WHEREOF, the undersigned authorized officer of the Bureau of Land Management has, in the name of the United States, set his hand and caused the seal of the Bureau to be hereunto affixed on this 13th day of April, 2009, in Anchorage, Alaska.

UNITED STATES OF AMERICA

/s/ Richard Thwaites

Richard Thwaites
Chief, Land Transfer Adjudication II

Location Index for Recording Information:
USS 9995: Sec. 20, T. 10 S., R. 71 W., and
USS 13739: Sec. 31, T. 10 S., R. 71 W., SM

Return Recorded Document to:

Interim Conveyance No.

2212

Page 5 of 5

SURVEYED TOWNSHIP 10 SOUTH, RANGE 71 WEST OF THE SEWARD MERIDIAN, ALASKA

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

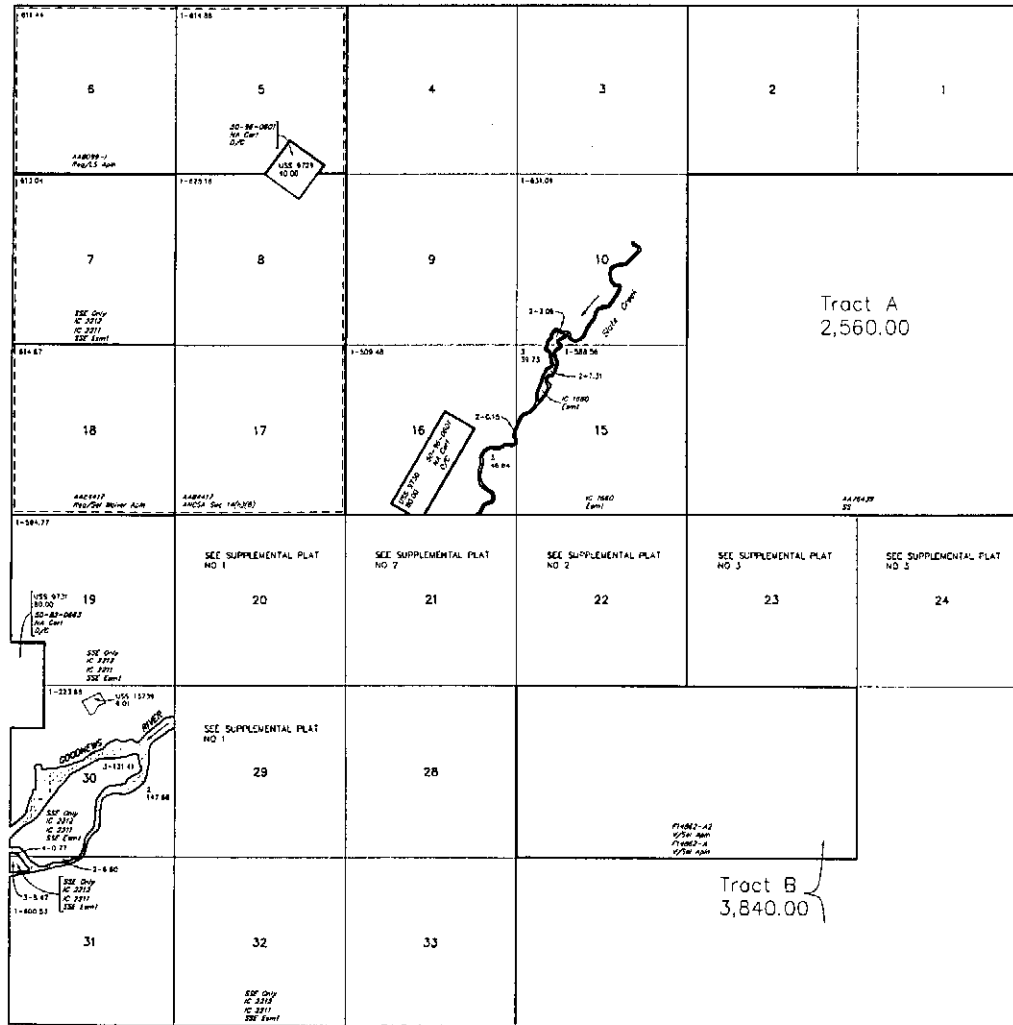
MTP

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

PLD 5184 Mtl Cl of Mts L&M/Intervts not conveyed

AA76439 SS Amot PL 96-487 Sec 20(Fc) Top Trct

AA8029-1 Pkg/Pl L5 Adm affect:
Sheet 3, 4, 9, 10 & 16



Lot 597536 751'W
Long 16108'48.337'W

CURRENT TO	See Map
R-13-2009	T 10 S R 71 W

ACAD

Annotation:
This plat is the Bureau's Report of Title and should be used only as a general guide to the township survey data. They are for your use and should not be relied upon for any other purpose. They are not intended to be used as a basis for any other action. They are not intended to be used as a basis for any other action. They are not intended to be used as a basis for any other action.

SURVEYED TOWNSHIP 10 SOUTH RANGE 71 WEST OF THE SEWARD MERIDIAN, ALASKA

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

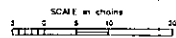
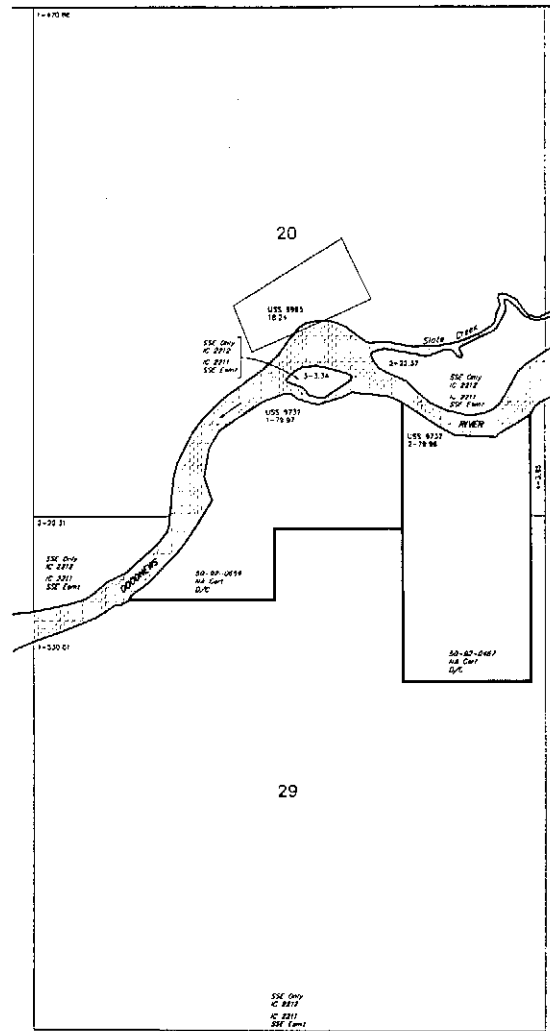
MTP
SUPPL SECS 20 & 29

NO 1

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

P.L.O. 5184 W&C affects L&M/interests not surveyed

AA78439 SS Amst Pl. 96-487 Sec. 202(a) Top 1764



WARNING:
This plat is the Bureau's Record of Title and should be used
only as a general guide to the location of public lands. It
will not be used to establish title to any land which has been
acquired by private individuals or other parties before or after
the date of this survey. For other survey information
refer to the records herein for other survey information.

CURRENT TO	NO 1	Scale	Map
7-23-2008		T	10.5
		R	71.8

ACAD

SURVEYED TOWNSHIP 10 SOUTH RANGE 71 WEST OF THE SEWARD MERIDIAN, ALASKA

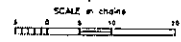
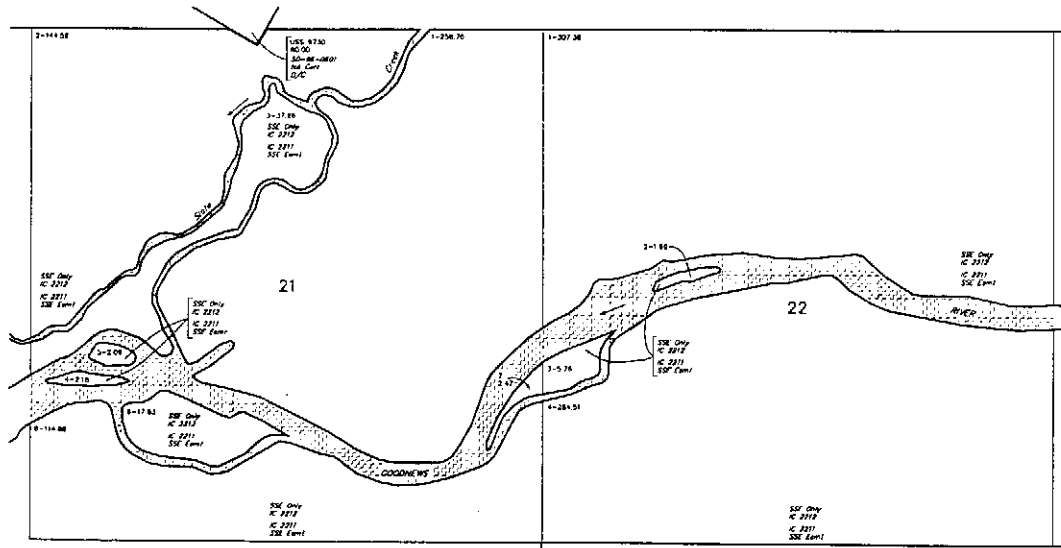
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP
SUPPL SECS 21 & 22
NO 2

FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-
IDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION
MINERAL, WATER AND/OR OTHER PUBLIC PURPOSES
REFER TO INDEX OF MISCELLANEOUS DOCUMENTS

PLD 5184 AND CI affects Lands/Interests not conveyed

18.75419, 55. Amel. Pl. 98-487 Sec. 202(a), Top. Files



NOTICE:
This plat is the Bureau's record of this, and should be used
only as a general guide of the location, survey data, and
other features. It does not reflect the changes which may have been
made by other instruments of title or other means, or other
data to the address surveyors for official survey information.

DOCUMENT ID	NO 2
7-23-2009	Sec Mer
	T 10 S
	R 71 W

ACAD

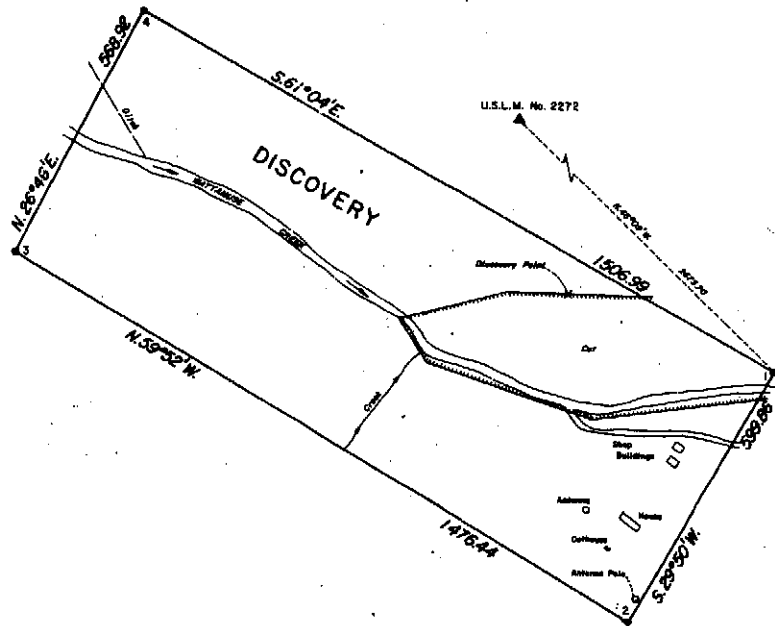
ORIGINAL

CANCELLED
JUNE 10, 1994

Slate Creek
Interim Summary Report
Attachment 18

CANCELLED
JUNE 10, 1994

N
S



● ALUMINUM POST, 30 INS. LONG,
2 1/4 INS. DIAM., WITH ALUMINUM CAP.

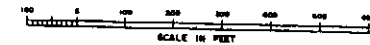
MINERAL SURVEY
No. 2272
ALASKA

CLAIM OF
Clyde E. Huffmon

COMPRISING
DISCOVERY

SITUATE IN
Section 9
T. 10 S., R. 71 W., Seward Meridian
Goodnews Mining District
(unsurveyed)

Latitude 59° 20.1' N., Longitude 161° 15.6' W
of Cor. No. 1



Magnetic Declination 18° 40' East

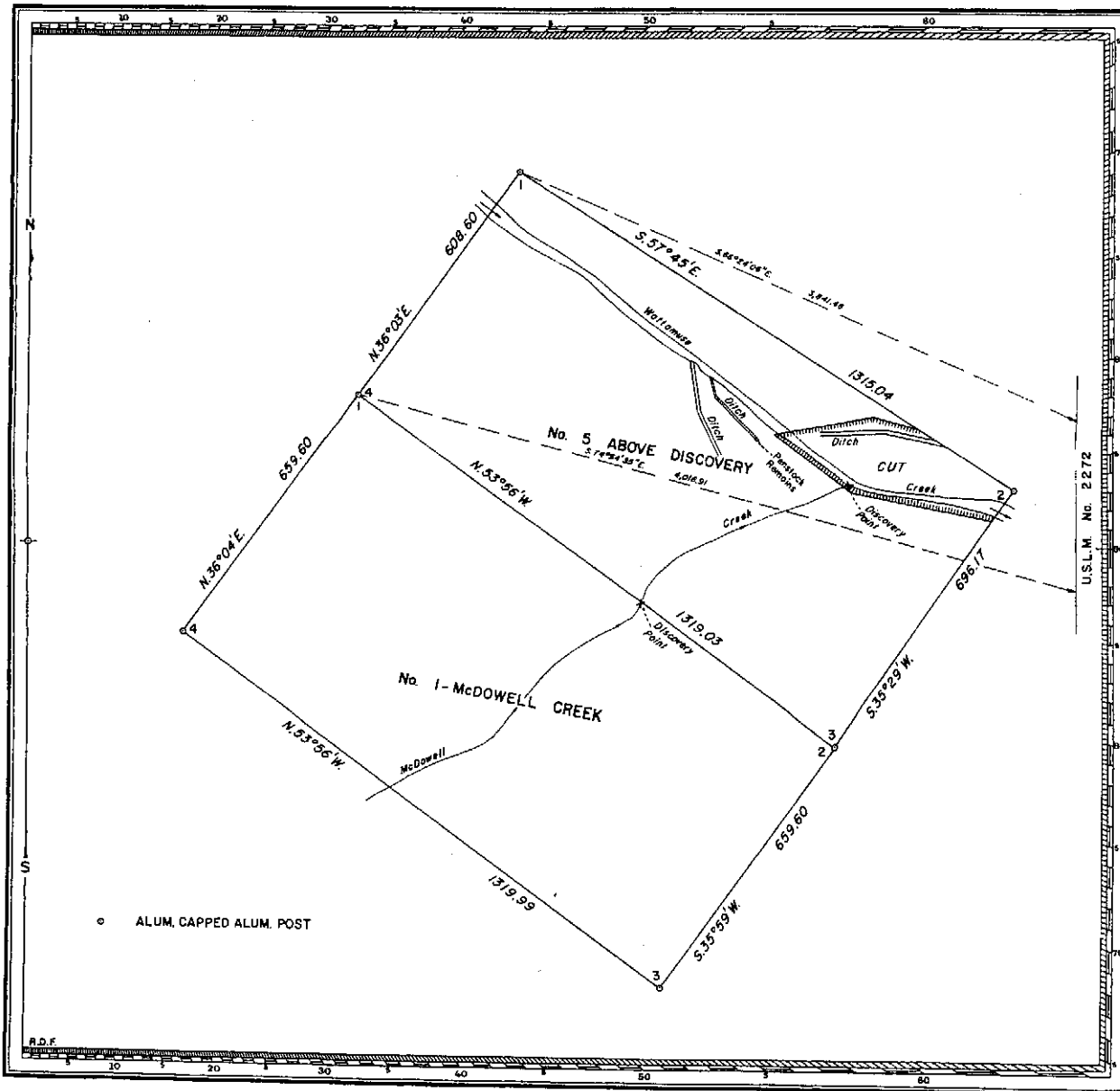
Surveyed, July 10 and 11, 1979
By Maurice P. Oswald, Mineral Surveyor

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
DIVISION OF CADASTRAL SURVEY

I hereby certify that this plat of Mineral
Survey No. 2272, Alaska, is strictly conformable
to the field notes of said survey which have been
examined and approved.

James J. Zupke
Anchorage, Alaska Chief
September 9, 1980 Division of Cadastral Survey

ORIGINAL



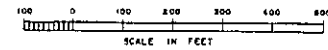
MINERAL SURVEY
No. 2284
ALASKA

CLAIM OF
CLYDE E. HUFFMON

COMPRISING
No. 5 ABOVE DISCOVERY
AND
No. 1-McDOWELL CREEK

SITUATE IN
Sec. 31, T. 9 S., R. 71 W., AND
Secs. 5 and 6, T. 10 S., R. 71 W.,
Seward Meridian
Goodnews Mining District
(unsurveyed)

Latitude 59°20.8' N, Longitude 161°17.4' W.
at Cor. No. 1, No. 5 ABOVE DISCOVERY



Magnetic Declination 17° 40' East

Surveyed July 10 and 11, 1979
By Maurice P. Oswald, Mineral Surveyor

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
DIVISION OF CADASTRAL SURVEY

I hereby certify that this plat of Mineral
Survey No. 2284, Alaska, is strictly conformable
to the field notes of said survey which have been
examined and approved.

Anchorage, Alaska *Harold Jolley*
Acting Chief
Division of Cadastral Survey

June 18, 1981

UNSURVEYED TO ISHIP 10 SOUTH, RANGE 71 WEST OF THE SEWARD

MERIDIAN, ALASKA

PROTRACTION DIAGRAM NO 520-14 OFFICIALLY FILED 1/27/1960

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP

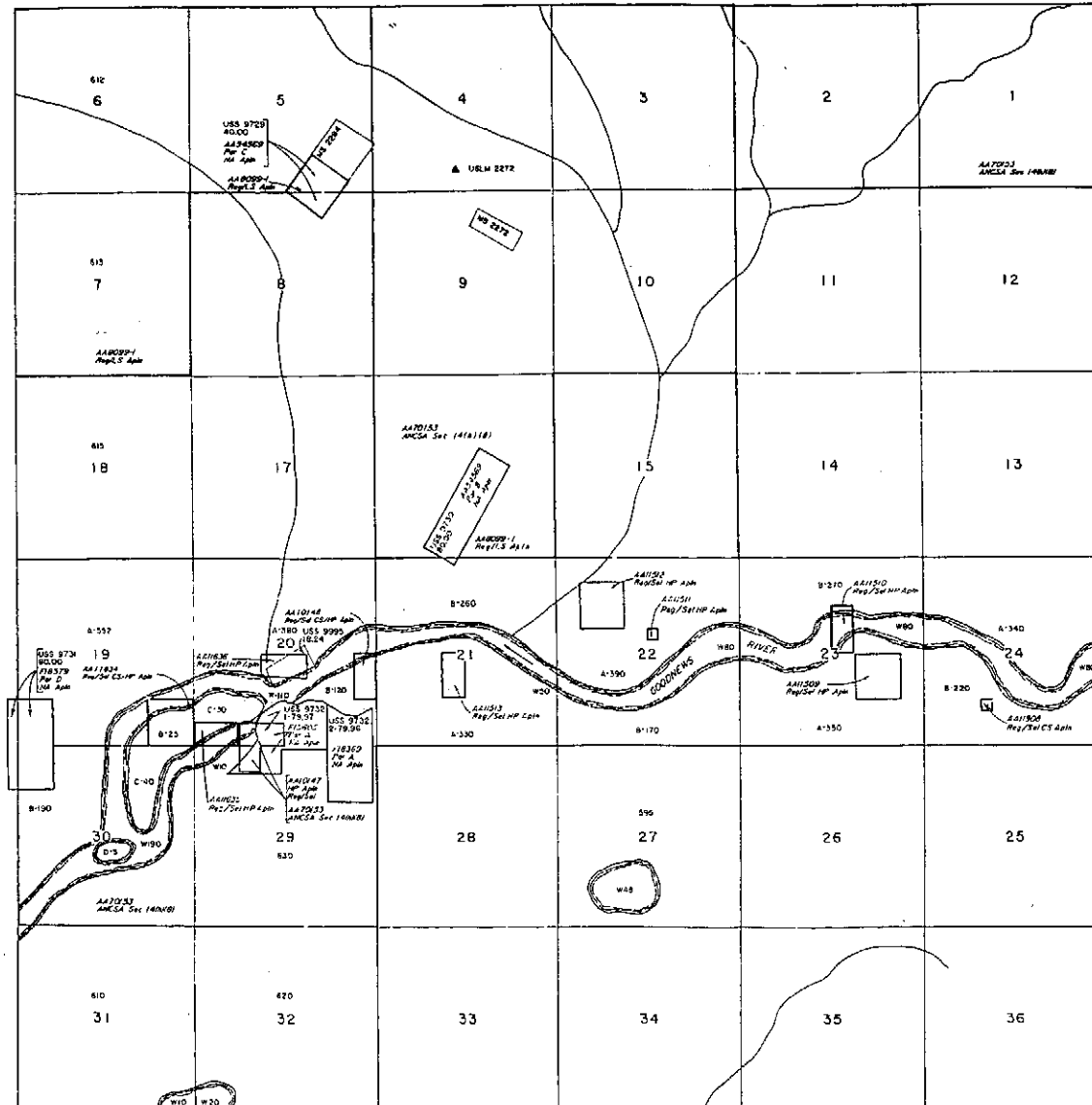
INDEX TO SEGREGATED TRACTS				
RESURVEY	ORIGINAL SURVEY			
TRACT NO	T	R	SEC	SUBDIVISION

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

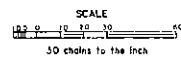
PLD 5184 3/16/1972 W/1 CI 8811W Tp

FIAB2-A W/Sw 1/4 Sec 19-24, 25-33 All, and NA
FIAB79 1/4 A, FIAB201 1/4 A, FIAB269 1/4 A, B the
Soodnews River

FIAB2-B2 W/Sw 1/4 Sec 7, 22-24, 25, 27 B 1/4's B
Unpat Lands W/1 FIAB2 12b)



Lot 59°15'36.751" N
Long 161°08'48.337" W



WARNING
THIS PLAT IS THE BUREAU'S RECORD OF TITLE AND SHOULD BE USED
ONLY AS A GRAPHIC DISPLAY OF TOWNSHIP SURVEY DATA. RECORDS
HEREON DO NOT REFLECT TITLE CHANGES WHICH MAY HAVE BEEN
EFFECTED BY LATERAL MOVEMENTS OF RIVERS OR OTHER BODIES
OF WATER. REFER TO THE CADASTRAL SURVEY FOR OFFICIAL SURVEY
INFORMATION.

CURRENT TO	DATE	BY	REV
3/4/1962			

Sew Mer
T. 10 S
R. 71 W

T. 8 S
T. 9 S

25'

(GOODNEWS B-7)

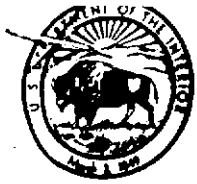
T. 9 S
T. 10 S

20'

GOODNEWS B-7



28° 0' 28° 30'



United States Department of the Interior

IN REPLY REFER TO

BUREAU OF LAND MANAGEMENT

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

Goodnews Bay-FY'87-#1
Hagemeister Island-FY'87-#1
Kuskokwim Bay-FY'87-#1
(961)

*2nd Annual Report
on BS # 194*

NOV 21 1986

Memorandum

To: File F-14862-EE
From: Realty Specialist

Subject: Interviews for Group Survey No. 194 (Window 1704)

**Slate Creek
Interim Summary Report
Attachment 19**

November 4, 1986.

Keith Schultz (543-2433) is a biologist with the Alaska Department of Fish and Game in Bethel that knows the Goodnews River. He spends time each summer traveling up the Goodnews River. In referring to the Indian River or the Kinegnak River he had no experience.

Keith had floated the north fork Goodnews River from the lake and its origin. He described this fork as having the most water and resident boater use of the three Goodnews River forks. He had also taken an eighteen-foot Gregor boat with a thirty-five horsepower outboard upstream to the start of Federal land in T. 10 S., R. 71 W., SM. This is where Alaska River Safari has one of its summer camps. He said that AK River Safari is a large operation with ten eighteen-foot Klamith skiffs with fifty-five horsepower jets, a twenty-two-foot Monarch with a fifty-five horsepower jet, and a big air boat. AK River Safari regularly hauls its clients upstream to float and fish down the wilderness portion of the Togiak National Wildlife Refuge or camp at their motorized camps. He said that the local boaters regularly travel to the refuge which is upstream of the report area. To reach the refuge with a propellered-motor the operator would have to be familiar with the numerous braids to properly select the channel of sufficient summer depth for BLM's craft. The water was the highest and widest in the spring and the lowest in July, but Keith estimated the average to be one-hundred and fifty feet wide and seventy inches deep in T. 10 S., R. 71 W., SM. Since Keith had regularly taken BLM's smallest commercial craft upstream for this distance during different times each summer, he knew it was possible with a propeller and a thousand pound load. AK River Safari frequently exceeded this load with their clients and gear.

In 1981 the ADF+G set up a weir tower to count salmon on the Middle Fork Goodnews River. It is located twelve miles upstream at the base of Table Mountain in Sec. 3, T. 12 S., R. 72 W., SM. During the first summer they operated eighteen-foot skiffs with thirty-five horsepower propellered motors. To regularly reach their tower, three shallow spots were crossed. He reported these shallow spots to be thirty to forty inches deep. In 1981 these boats and motors were used all summer to haul supplies, the tower, building material, and equipment to their salmon weir. Since 1982, ADF+G has used eighteen foot boats with jet units to reach their camp. Since the local boaters rarely use the Middle Fork, Keith could report an average of only three resident boaters to travel upstream beyond their tower during the summer. He did remember one Native with an allotment claim three miles upstream from the tower who regularly used an eighteen-foot skiff with a fifteen horsepower propellered motor to reach his claim. In recent years the Middle Fork Goodnews River has become popular for sportfishing guides and their clients. AK River Safari has established a camp just below their tower site. Keith thought the name of another guide was the Bristol Bay Coastal Guiding Service. The Togiak National Wildlife Refuge staff had issued them a permit, and could verify their name. Their camp was located near Sec. 3, T. 11 S., R. 70 W., SM which is in the Ahklun Mountains and beyond the report area. Keith had taken an eighteen foot riverboat with a jet unit upstream to Tigukauivet Mountain and their camp during the summer and believed it could be done at any time of the summer with a propeller and a thousand pounds. He felt it might be necessary to install a lift on his outboard to get over the increasing number of shallow spots to reach their upper camp.

Keith said the South Fork Goodnews River was slow moving and free of split channels, and its beds were mud. This was a different character than the other forks with faster water, braided channels and a gravel bottom. During the summer he had taken his personal eighteen-foot Gregor boat with a thirty-five horsepower propellered motor upstream to Lookout Mountain or Sec. 13, T. 12 S., R. 72 W., SM. He described the stream as being 50 to 70 feet wide and 30 to 50 inches deep. He also believed BLM's commercial load could be taken upstream for this distance. He had not seen any other boats on the South Fork during the time he has spent fishing there.

It was difficult to even enter the Goodnews River system at low tide because of the tidal flats. However, Puyulik Creek would be impossible since it was just a trickle when the tide was out. Keith did not know how far a high tide might permit BLM's boat, and he was not aware of anyone using BLM's smallest commercial boat on this stream.

Keith frequently passes Carter Bay, but he had never taken his boat on the Indian River. From his aerial reconnaissance he believed it might be navigable in its lower reaches in the early spring or late fall. He knew this was not a popular area. Resident boaters referred to the old abandoned cabin near the mouth of the Indian River as being haunted.

The resident boaters of Platinum travel only a short distance up the Small's River. They commonly park their boats near the mouth for the summer. In the fall they only travel upstream to the village to store their boats for the winter. At low tide the river simply does not have enough water. Last fall Keith took his three-wheeler up the road from Platinum and described the Small's River in Sec. 11, T. 14 S., R. 75 W., SM to be less than knee deep. The reason they call it the Small's River is because of its low volume and narrow nature. He did not believe BLM's smallest craft with a thousand pounds could be taken up Small's River. It might be possible to take a jet boat up this river on the spring high water.

Keith said that Chagvan Bay is a popular spot for resident boaters during the fall duck hunting. It was not possible to get to Kinegnak River when the tide was out. Keith knew that the old village site of Kinegnak was abandoned from having taken his his boat into Chagvan Bay for the fall hunting. He had never been to the mouth of this river but he did not believe it was navigable because of lack of water in the bay at low tide. He knew of no boating on this river and did not believe it was possible. The local three wheelers from Platinum access the river in T. 14-15 S., R. 74 W., SM, from the three wheeler trail off the Goodnews Mining Camp road.

Keith described Slate Creek as being 30 to 40 feet wide and 30 to 40 inches deep. The old post master of Goodnews still operates the Wattamuse mine during the summer. His name is Huffman and he leaves his eighteen foot riverboat with a twenty-five horsepower jet near the mouth of Slate Creek and walks to the mine from there. The local law enforcement boaters stop to check on him each summer. Keith said that there is also an old cat trail to Wattamuse Mime that was used to haul supplies to the mine. He was not aware of anyone using Slate Creek by boat other than Huffman, who lived out there and parked at its mouth.

Keith recommended I contact Willie Eechuck (979-8127) of Platinum or James Bright (967-8515) of Goodnews for additional information. He requested that he be called if we research the Arolik River near Quinhagak. The Native council of Quinhagak would like a chance to comment, and he is aware of their names.

November 5, 1986.

Joseph Martin Sr.. (967-8511) is a Native land planner for Kuitsaruk Inc.. or Goodnews Bay Village. He said that his grandparents use to take eighteen to twenty-four-foot boats up to Wattamuse Creek on the north fork Goodnews River in the olden days because of the mine there. It is important to realize that the resident boaters referred to Slate Creek as Wattamuse Creek as well. He was unsure how the equipment was brought up to Wattamuse Mine. Joseph said that he takes his twenty-four-foot boat with a thirty-five to fifty horsepower propellered motor up the north fork to the refuge at least once each season. He knew that jet boats were used by guides further upstream, but felt the depth was sufficient for BLM's smallest commercial boat with a thousand pound load to be taken through the report area. Since Joseph felt unable to provide me with the physical character of the Goodnews River, he used his CB radio to call his neighbor Battle Amerit over. Battle is a shareholder of the tribal council and felt more comfortable with the english language. Joseph said that the jet boats used by Alaska River Safari were going to ruin the fishing by destroying the fish eggs in the riverbed. He said the jet boat were navigating the Goodnews River in only a foot of water.

Battle felt that Indian River was just a creek and could provide no means of travel by boat. This river would be too shallow for BLM's smallest commercial boat unless you travel up it in the spring.

Battle said that he had taken an eighteen foot skiff with a propeller all the way up to the lake on the Goodnews River after the heavy rains of fall. He believed it would be possible with a thousand pound load after a few days rain in the fall. However, he said that there were dry years when it would not be possible to go even 1/2 up to the lake with BLM's propellered craft and a thousand pound load. He felt the river depth was too inconsistent to give an average depth.

Battle said he had never been on the Middle Fork Goodnews River in the summer. After some discussion I found out that he is a commercial fisherman in the summer and is not in the area to travel up the Goodnews River. He suggested that I contact William Carter who works in the Goodnews Village community hall.

Willie Eechuck (979-8127) is a Native of Platinum that has boating experience in the area. He had been to the Indian River back in 1961 or 1962 in his old wooden 19 to 20 foot riverboat with a propeller equipped outboard. He knew it would only be possible to get across the mud flats of Carter Bay if it were high tide. Once he got into the Indian River he only went about a quarter of a mile and remembered the mud beds of the river. He knew BLM's boat could go upstream beyond this distance because every fall resident boaters camp on the river and hunt. He said that Bob LaMerik (967-8214) of Goodnews regularly takes his boat to the Indian River each fall.

Willie said that the north fork or main Goodnews River was the primary fork of all the resident travel by boat. He felt it was common for resident boaters to travel all the way to Goodnews Lake. Willie had personally taken his eighteen-foot Lund with a propellered eighteen horsepower motor all the way to the lake which is well beyond the report area. He said that there was a canyon about five miles upstream from Wattamuse/Slate Creek. At low water this canyon is the swiftness part of the river with a big rock in the channel. The number of rocks increases above the canyon at low water. He said that this area would require a larger fifty horsepower motor. Since the river varies each season according to the rains it is not always possible to reach the lake. For example, two years ago it was a dry season and he estimated that it would take eighteen hours to reach the lake unless you had a jet boat. The farthest he had been two years ago was just below Wattamuse/Slate Creek in Sec. 20, T. 10 S., R. 71 W., SM. He said to continue would mean tearing up propellers. Although jet boats can be taken all the way to the lake with little regard to the water level. Willie described the upper river in T. 10 S., R. 71 W., SM as being thirty to forty feet wide and three to five feet deep. This fall the heavy rains have raised the river and it would be possible to take BLM's smallest commercial craft with a thousand pound load and powered by a propeller all the way to the lake from Platinum in just a few hours.

Six years ago Willie took his old wooden nineteen to twenty-foot boat with a propeller about seven to eight miles up the Middle Fork Goodnews River before he remembered hitting bottom. Since his eighteen foot Lund is much lighter he felt he could now go at least ten to twelve miles with his propellered outboard and a thousand pounds and maybe more. He said that the resident boaters do use the Middle Fork for bear and moose hunting in the fall. Resident boaters walk their boat through the shallow areas with a thousand pounds to continue upstream beyond the twelve miles when the water level is low. However, even the shallow areas would not be a problem for a jet boat.

Willie had never been on the South Fork Goodnews River but he had flown over it and felt that he could take his eighteen-foot Lund, but he was again unsure how far.

Willie said that Puyulik Creek is too shallow and full of trees for BLM's smallest commercial boat or any boat.

Willie said that the Small's River is too shallow and narrow to even use a Kayak. Since he lives at Platinum which is located at the mouth of the Small's River there is no question about it, this river is just a foot deep.

Willie has taken his eighteen-foot Lund a quarter of a mile up the Kinegnak River in Chagvan Bay and described it to be only a foot deep. In order to even get to the mouth there must be a high tide. Since Chagvan Bay is nothing but a large sand and mud flat when the tide is out. Willie thought it might be possible to drag a raft up this stream and float down, but there was not enough water for his eighteen-foot Lund or BLM's smallest commercial craft. He said that a person could walk all the way up the bed of this stream. The old village site of Kinegnak near the mouth of this stream has been abandoned for a long time.

Willie said that Wattamuse/Slate Creeks were just trickles that flow out of the mountains like a lot of the so called rivers in the Goodnews area. Although the USGS quadrangle refers to a lot of the streams in the area as rivers, they simply do not provide any means of travel by boat. Although Wattamuse has a history of early riverboats' being taken up the Goodnews River to Slate Creek there would not be enough water for any propellered craft to power a boat up to the old mine on Wattamuse Creek. He said that it might be possible to walk up a boat up this creek but he was not sure. He said that there was an old road leading to the mining camp that they must have used in the olden days to haul equipment or supplies to the mine.

November 6, 1986.

James Bright is a Native of Goodnews village (967-8515). Although he was familiar with the water bodies in the area he did not want to help a gussik and referred me to the Goodnews Village Council. He said he had taken BLM's smallest commercial craft with a propeller up the Indian River. He felt it would be possible to travel up this river at least ten miles in a jet boat. Once in a while he takes his propellered craft up this river but there must be a high water. To even enter the river a high tide is needed to get across the mud flats of Carter Bay. He takes his boat as far upstream as he can but could not provide a distance with a propeller. He also provided me with Bob LaMerik phone number of Goodnews at 967-8214.

William Walter represents the Goodnews Bay Village Council at 967-8311. He is a Native with extensive boating experience in the Goodnews area. The first river that Walter commented on was the main Goodnews River. He said he has taken his fourteen-foot aluminum boat with a propellered outboard all the way to Goodnews Lake. The average depth is between two and a half and twelve feet deep. This depth would be normal for the months of July, August, September and October. He believed that BLM's smallest commercial boat with a thousand pound load could not be taken all the way upstream to the lake during the normal water stages of June, November and December, because there was not enough water for a propellered motor. He knew many resident boaters to regularly ascend the Goodnews to the lake each season in boats similar to BLM's smallest commercial craft and load while powered by a propeller.

William said that boats can not ascend the Middle Fork Goodnews River to reach its upper lake at low or high water because of rocks that block the channel. This blockage is located upstream beyond the report area. During the late summer the resident boaters will ascend the Middle Fork in search of berries. Each fall resident boaters travel up the Middle Fork for bear and moose. William had personally taken his fourteen foot aluminum boat with a propellered outboard to the blockage which he described as being sixteen to twenty miles beyond the ADF+G fish counting camp in Sec. 3, T. 12 S., R. 72 W., SM. The blockage was even beyond Tigukauivet Mountain in T. 10 S., R. 70 W., SM and upstream of the report area. The average depth of this fork was between one and a half and seven feet deep. He said the local boaters are expert at getting over in shallow spots because of their knowledge of the river and its channel. It would not be a problem for BLM's boat and load during the normal water stages of July, August, September and October.

William said it was possible to ascend the South Fork Goodnews River for five miles. Beyond this there was not enough water, it was too shallow. Although this fork was not as heavily used as the other two forks, some resident boaters do travel this distance in boats similar to BLM's smallest commercial boat for fishing and berry picking. He had taken his fourteen-foot boat upstream for this distance and knew it was possible for larger propellered craft. He believed the thousand pounds would not make a difference.

For many years William has traveled up the coast to enter Carter Bay and stay at the cabin located on the Indian River during hunting season. To get to the Indian River a high tide would be needed to cross Carter Bay. William believed the Indian River was too shallow for his boat or BLM smallest commercial boat. There was simply not enough water for a propellered craft. The cabin and the river were said to contain evil spirits. Evidently there had been white men that had gone to this river and never come back.

Each season many of the resident boaters travel south from Goodnews Bay and enter Chagvan Bay for the dog salmon run on the Kinegnak River. He said that this area was known to be a popular fish feeding area for large groups of brown bears. He said that the local village of Kinegnak had been abandoned for some time. He felt that it had been abandoned because there were no doctors in the area and its danger due to the bears. He said that many resident boaters travel up the Kinegnak River in boats similar to BLM's smallest commercial craft. He describe it as being forty to fifty feet wide and two and a half to seven feet deep. He knew that Adolph Nicolai (at 967-8413), John James (no listing) and William Mark (no listing) were just a few of the boaters who ascend the Kinegnak River with BLM's smallest commercial propellered craft. They travel up the Kinegnak for the salmon fishing and hunting. He said it was only possible to go about half way up this river. Resident boaters were traveling upstream to the first mountain on the left. It was not possible to reach Fog Creek or Wind Creek, the first mountain is at the 860 foot elevation and downstream from these creeks. The northern border of Sec. 1, T. 15 S., R. 74 W., SM would probably not be possible with a thousand pounds because of the rocks that begin to drop into the river from the cliffs. Beyond Sec. 1, the hills converge down to the river causing swifter water, more rocks, and shallow water.

Dave Fisher is the manager of the Togiak National Wildlife Refuge. His office is located in Dillingham at 842-1063. Dave said that a large amount of aerial reconnaissance is done each season to monitor the bird and wildlife populations of the refuge. This last fall they conducted a water fowl survey on Carter Bay and the Indian River. They observed a number of boats similar in size to BLM's smallest commercial boat about a mile upstream. Dave believed the reason they got this far upstream was only due to a high tide. They had never observed any boats further upstream and Dave did not believe it was possible for BLM's craft. Beyond this mile the natural water stages would not provide a depth sufficient for travel with BLM's smallest propellered craft.

Dave had floated down the main Goodnews River from Goodnews Lake by raft. He said that he had observed Alaska River Safari's two large twenty-two to twenty-four-foot boats with large inboard engines and cabins all the way upstream to Goodnews Lake. Although these boats were equipped with jet units, Dave believed it could be done with BLM's smallest craft carrying a half ton while powered by propeller. He felt this would be possible on the high water stages of summer and fall. Alaska River Safari's use to have a camp on Goodnews Lake that they regularly took clients upstream to all summer. While floating the river Dave had observed the average depth to range from one to four feet, and this was not during the high water stages of summer.

Dave described Slate/Wattamuse Creek as being small, shallow and rocky. He did not believe that BLM's smallest commercial craft could be taken upstream very far if at all by propeller. Dave had never rafted the Middle Fork Goodnews River, but he had issued permits to Bristol Bay Lodge to set up camp for their clients inside the refuge boundaries. He believed that their camp was located near Sec. 2, T. 11 S., R. 70 W., SM. He knew that they used fourteen to sixteen foot boats with thirty-five horsepower jet units all the way upstream to this camp. Dave believed that a propellered craft could not get much past the ADF+G camp unless it had a lift. He recommended that I call Bristol Bay Lodge (243-5385) in Anchorage for more information on the physical character of the Middle Fork and additional boat use upstream beyond the ADF+G camp.

Dave felt that the South Fork had even less water than the other forks, and he had never observed any boats on this fork. He felt that this fork was too shallow for BLM's smallest commercial boat.

Although Dave had never been on the Kinegnak River by boat, a refuge employee named mark had established a camp near its mouth this last fall. He had taken his Zodiac with a keel about a mile upstream with a propellered outboard. Mark told Dave that he had needed the tide to get into the Kinegnak River and across the mud flats of Chagvan Bay. However, once into the river it was deep enough for BLM's smallest craft with a propeller to travel upstream. From Dave's conversation it was unclear how far Mark could have gone upstream. In any event, a flat bottomed boat could travel further upstream than a zodiak with a keel.

I tried to contact Adolph Nicolai at 967-8413 in Goodnews Bay but the phone was hung up after two words were said, "I'm sorry." Perhaps Nicolai does not feel comfortable speaking english.

November 7, 1986.

James Smith of Goodnews (967-8515) would not provide any information. He told me to come down here and check it out for myself.

Walter Galila (967-8414) had taken BLM's smallest commercial propellered boat upstream on the Middle Fork Goodnews River to the ADF+G camp in Sec. 3, T. 12 S., R. 72 W., SM. However, he knew the resident boaters of Goodnews Bay were going upstream into the refuge each fall in boats similar to BLM's smallest craft while powered by a propeller. He believed that the upstream limit to BLM's boat and load would be well beyond the report area. The water is deep enough each season for the local boaters to travel this distance.

Walter had not been on the South Fork or the Kinegnak River. However, Henry Small was with Walter when I called and he had taken his boat a half a mile up the Kinegnak River but he was not sure how far BLM's smallest commercial boat could be taken beyond this. One of the reasons that resident boaters do not report to go further upstream is because they anchor their large commercial fishing vessels with a deep draft in Chagvan Bay. These vessels are larger than BLM's craft. Because of their draft requirements, they can not be taken beyond the tidal influence in the lower reaches of the river.

I phoned Bob LaMerik of Goodnews (967-8214) and he said it had been many years since he had taken a boat up the Goodnews River and would not comment. He recommended that I call the sportfishing guides that use the upper Goodnews forks.

Ron Hyde of the Alaska River Safari's (333-2860) provided substantial information. Although he was recovering from a recent stroke, he could provide the following information: Every year for the past fourteen, Ron said that he had been on the Goodnews River every day from break up to freeze up. He said that it was extremely normal under any conditions to see the Natives of Goodnews Bay taking BLM's smallest commercial boat with a propeller upstream to the refuge. He considered this the predictable lower stretch for travel any time with a propeller. He said that the main Goodnews was eighty miles in length and climbed 540 vertical feet in this distance to reach the lake. The resident boaters only have to climb two-hundred feet of little gradient to reach the refuge. The difficult navigation was the last 340 vertical feet gained inside the refuge alone to reach Goodnews Lake. Ron use to have a camp on the Goodnews Lake for many years. He has seen Natives of Goodnews village hunting, fishing and berry picking all the way up to the lake each season. The boats he had seen the locals use were similar to BLM's smallest craft with propellers. These boats with propellers are able to reach the refuge pretty much all year. At low water there are some rocks that make final climb into the lake difficult for propellered boats. Ron said that the canyon is quite a bit further upstream than the five miles above Slate Creek that had been described to me in an earlier interview. He said that the Goodnews River is remote and boaters have to be experienced to select the proper channel. Experience one year could not be relied upon three years later because the course of the river and its channels change. Ron considers the Native boaters to be the best in the world. Every season he sees the Natives bring BLM's smallest commercial boats all the way up to the lake with a propeller. Just this last fall he saw four of the Native boaters each bring a moose out from Goodnews Lake. The half ton load would not be a problem. In fact Ron hauls clients all the way upstream to Goodnews Lake in his heavy twenty-four foot jet boats.

Ron said that the Middle Fork Goodnews River is also used by BLM's smallest commercial craft with a propeller all the way upstream into the refuge. Since the Natives are involved in commercial fishing during the summer, they would not normally be seen on the Middle Fork until fall. During the fall the commercial fisherman of Goodnews Bay have the one to five day period of time that is needed to camp and hunt bear and moose, to trap, and to fish for white fish, rainbow trout, and dollies. Even when the water is low on the Middle Fork the Native boaters of Goodnews can travel upstream into the refuge for these activities. Although the shallow spots are more frequent on the Middle Fork, the Natives will lift their propellered motor out of the water in time to travel over a shallow spot thirty feet long. Ron has seen the Natives in the refuge each season with BLM's smallest propellered craft. He also has seen the fourteen foot jet boats used by Bristol Bay Lodge to carry their sportfishing clients upstream to their camp in the refuge.

Ron said that the South Fork Goodnews River is slower moving with the least amount of water of the three forks. He said his son Ron Hyde Jr.. guides on the South Fork each season and he was more familiar with it. When I asked if BLM's smallest commercial boat with a propeller could be taken to the first fork in the refuge called Tivyagak Creek, Ron said that this was common and done each season. There were also some moose taken on the South Fork. Ron has seen the Natives in boats of this size and load while powered by a propeller be taken this distance, but it was usually in the fall when the Natives have more time.

Ron's son spends a lot of time camping on the Kinegnak River each fall during the hunting season. Since Ron Jr.. goes to college during his afternoons his son will call me back on Monday or Tuesday.

November 12, 1986.

Ron Hyde Jr.. (333-2860) is a sportfishing guide with Alaska River Safari's. He spends his summer boating the Middle Fork and South Fork Goodnews River. He also has a fall camp on Kinegnak River in Chagvan Bay. He said he had thirteen years of boating experience on these rivers, spending from six to eight hours a day on the rivers from May to Mid or late October. He primarily spends his time on the Middle fork camp about one mile downstream from the ADF+G camp or in Sec 9 of T. 12 S., R. 72 W., SM. He regularly uses a twenty-three foot Duckworth with a large inboard engine and a jet unit to take clients upstream into the refuge. The boat alone weighs an estimated 2,400 lbs.. without passengers. With three passengers, gear and

fuel he estimated the boats weight to be over 3,400 lbs.. He regularly takes this boat upstream on the Middle Fork Goodnews River through the report area to reach the Kukaktlik River in T. 10 S., R. 75 W., SM. He described the Kukaktlik River as a small shallow creek. However he has seen the Natives boaters take their boats which are similar to BLM's smallest commercial craft upstream on this small stream by riding their wake. This is done by adding power or reducing power on their propellered motors to get over the shallow areas. Ron said that he had hauled a lot of gear and clients up the Middle Fork. Last summer he even took Lynette Nakazawa of the BLM photogrammetry section up the Middle Fork and the main Goodnews River to their tide markers. Under the right water conditions Ron had taken a small skiff powered by a propeller all the way up to Middle Fork Lake. These conditions would follow the normal storms of spring, August or fall. After several days of rain the river will rise and frequently cover the gravel bars. For the last two years their cook tent has had eight inches of water in it on these high gravel bars. After several days of flooding the channels are frequently altered and the river becomes silty. It normally takes about three more days for the river to return to its natural clear water state. Ron said he had also spent a fall trapping on the upper Middle Fork. He had taken a snowmobile in his eighteen-foot Lund upstream to a Native mud house in the refuge. This was a common practice for the Native boaters. The Natives will usually drag their boat out of the water for the winter and wait for freeze up. Then they will drive the snow machine back to the village and pick up the boat in the spring. The resident boaters take BLM's smallest commercial craft and load upstream on the Middle Fork each fall to hunt or trap for beaver and otter. No special conditions are necessary for BLM's boat and load to be taken this far by propeller except experience. He described the Middle Fork as being 8 to 12 feet deep. The deepest areas were along the cut banks, but he estimated its average depth to be three feet. He said that there were at least a half dozen Native cabins on the Middle Fork upstream from the ADF+G camp and he regularly sees the Native boaters traveling upstream to these cabins each fall. Many of the cabins are located inside the refuge and upstream from the report area.

Ron also spends a lot of time on the South Fork Goodnews River. He described this river as being a tundra river with less trees than either of the other forks. Ron regularly takes his propellered eighteen-foot Lund upstream to Tivyagak Creek. He said that the resident boaters could take BLM's smallest commercial propellered craft and load up to the outlet of a small creek which connect to a lake in T. 12 S., R. 71 W., SM. He believed that this would be the normal limit for BLM's boat and load while powered by a propeller. Although there are not a lot of moose in the area, the Natives will then hike upstream to

this lake and occasionally shoot moose. Ron had been further upstream in a smaller sixteen-foot boat. Ron described this river as having shallow corners of 10-14" water on the cut banks. He knew of the early Pike expedition had poled their boats up the South Fork Goodnews to cross into the Osviak River drainage and rejoin Bristol Bay. He believed that they used Tivyagak Creek to cross over to the Osviak River.

Ron also began to discuss the Kinegnak River which drains into Chagvan Bay. He said that there were no jet boats reaching this river. Chagvan Bay is shallow and full of kelp and seaweed which would plug a jet. Getting to this river was tricky, but once on the river he said it was about the same size and average three foot depth as the South Fork. He believed that the high tide would extend up this river about one mile. It was very similar to the South Fork Goodnews River. In addition to the Native allotments and the old village site on the lower river there were trappers cabins upstream in the hills of the Kinegnak River. Ron said that a propellered boat comparable to BLM's boat and load could be taken upstream to the cliffs and hills. The hills and cliffs are identified between the 405 and 860 foot hills on the west side of the river. The east side of the river has a larger hill at 1555 feet above sea level. He related this to traveling to the top of the J in the river. Ron had taken his eighteen-foot Lund with a thirty-five to sixty-five horsepower propellered motor through Sec. 12, T. 15 S., R. 74 W., SM. Beyond this, the river bed began to have rocks falling into the river from the fifty foot high cliffs. It also becomes too shallow as the gradient increases. He believed that this was the upper limit of navigation for BLM's boat and load. Ron said he would come into the office and help identify the Native cabin locations and their individual extent of travel by boat.

November 14, 1986.

Peter Samuels is the Mayor of Platinum and located in the city office (979-8114). He was familiar with the Kinegnak River. Samuels had taken BLM's smallest commercial boat with a propeller up this river. The problem with this river is getting into it. He said that Chagvan Bay is a large sand and mud flat that is difficult to cross at low tide. He said that if a boat reaches the mouth of Kinegnak River when the tide was out they would have to wade their boat a short distance upstream to get over a bar. Once in the river, it has a depth of three to eight feet deep. It is possible to go upstream by traveling back and forth across the river following the channel and the cut banks. He said that he had turned around an estimated five to eight miles upstream. He remembered the spot to be the first cliff on the right. He believed that he could have gone further upstream

but he was alone and had no reason to. He said that the old timers grandparents use to live up the Kinegnak River and their old cemeteries are still found upriver in or near Sec. 13, T. 15 S., R. 74 W., SM. He thought that Moses Kilbuck (no listing), Willie Eechuck (979-8127), or Oscur Snyder (979-8129) might have a knowledge of the early boaters and how far they use to go on this river since their grandparents lived on the river. Although he had never been to the upper limit many others had described its limit to be in the hills and he knew you could only go so far upstream. He didn't know how far upstream the Natives who use to live on the river had gone by boat. But he knew that the old timers used kayaks on this river when they lived there. He was not sure if they used poling boats.

Ron Hyde (333-2860) said that he had also been up the Kinegnak River but it was three years ago and his son Ron Hyde Jr. was more familiar with it. He said that he had taken an eighteen-foot boat with a propellered motor upstream into the hills before turning around. He believed that BLM's boat could be taken upstream for this distance with a propeller and a thousand pound load. During this thirteen miles, the river climbed less than a hundred feet. He remembered seeing an old shack in the hills that he believed to be used by Native trappers. Beyond this distance the river is no longer a marshy valley and its depth begins to shallow out. Although he did not see any other boats, his son had spent more time on the river and seen propellered boats this far upstream each fall. Ron Hyde considered this river deep enough for easy navigation by BLM's smallest commercial boat. The real problem is not with the river, but to get across the shallow and muddy Chagvan Bay.

November 18, 1986.

James Akerelrea, a land planner with Calista Corporation (279-5516) came into the office to discuss the Kinegnak River. After he looked the area over on the map he said that he was not familiar with the area. He was familiar with the Quinhagak area just north of Group Survey 194. James could speak fluent Upiic and offered to call Adolph Nicolai of Goodnews Bay. The call was not placed from my office because James had just had his tonsils out and couldn't speak well on the phone. James was from Scammon Bay. He suggested that a map of the rivers in this area be sent to Goodnews Village.

Oscur Snyder is a old Native from Platinum (979-8129) that was estimated to be over seventy years old. Snyder said that he was one of the only old timers that use to live at the old village site of Kinegnak. In those days he said that the Natives did not have outboard motors. All the travel was done by can or kayak. He remembered taking his canoe several miles upstream

from the old village and drift fishing for chum salmon. He said that this river was real deep in some places but also had some hard to get over places. Each fall he could remember the trappers who took their camp and supplies upriver for the winter by canoe. Sometimes the trappers would come back into town in December for the Christmas dance. These trappers would build igloos upriver to spend the winter and come back down river in the spring by canoe. There were also reindeer herders who use to travel upstream by canoe to reach their herds. These canoes were various sizes like the modern day canoe and provided the primary means of transportation. Snyder remembered the village of Kinegnak to be nearly empty each spring and fall. The Natives were upriver hunting and trapping with these canoes and it provided their primary means of travel.

November 19, 1986.

I phoned the Division of Fish and Wildlife Protection in Bethel (543-3494) and talked to George Dahl. Dahl worked at the old Platinum mine when he was a boy and he was familiar with the Goodnews Bay area. Dahl is also a trooper that does a lot of flying. Each summer he would land on the airstrip at the mouth of Wattamuse Creek to check on Clyde Huffman who operated the old Wattamuse Mine. Clyde use to be the old post master of Bethel and until his recent death last summer operated the old Wattamuse Mine. Clyde regularly relied upon his fifteen to eighteen-foot flat bottomed boat for transportation and the hauling of supplies and equipment each summer. Dahl knew that Huffman relied upon Slate Creek to reach Wattamuse Creek. Huffman use to park his jet boat just downstream from the old mining dredge in the mouth of Wattamuse Creek. From here Huffman use to load his supplies on his three or four wheelers for the last three fourths of a mile to his cabin on Wattamuse claim. Dahl said that Wattamuse Creek was full of boulders and shallow. He did not believe that BLM's smallest commercial boat could be taken up Wattamuse Creek very far. He was sure BLM's smallest craft could not reach Huffman's cabin which was another three fourths of a mile upstream. Last summer Dahl had also flown his son into the air strip on Slate Creek for him to float Dahl's raft downstream passing the mouth of Wattamuse Creek to reach Goodnews Village. Officer Dahl recommended that I also contact Ron Whitton (543-3350) who has a mining claim in this same area.

Ron Whitton (543-3350) lives in Bethel but has a mining claim on Fox Creek which is upstream from Wattamuse Creek on Slate Creek. Whitton use to work for the troopers, but quit his job to go into full scale mining on his Fox Creek claim. Whitton had spent a number of summers on Slate Creek and regularly flies his supercub airplane into the air strip at Wattamuse and Fox Creeks. He said that Slate Creek was thirty to forty feet wide

and two to three feet deep at low water. On a high water the creek would be five or six feet deep. Whitton said that high water comes within eight to ten hours after a heavy rain. These rains are very common for most of the summer and especially in the fall. He said it was no problem for BLM's smallest commercial craft to be taken upstream on Slate Creek to reach the airstrip across from Wattamuse Creek on an average summer flow. He knew that Huffman used BLM's smallest commercial craft and regularly traveled upstream for this distance. Whitton believed that BLM's smallest commercial boat and load could be taken upstream to Olympic Creek by propeller. Olympic Creek was only a short distance upstream from this airstrip on Slate Creek. Olympic Creek was very small and too shallow by itself. Beyond Olympic Creek, Slate Creek still has six and seven-foot deep pools of water, but there were too many shallow spots. Whitton said that Slate Creek did not begin its steep climb until after leaving Fox Creek. However, Whitton believed that the thousand pound load would limit BLM's smallest propellered craft to Olympic Creek. Whitton had also flown over the Kinegnak River and observed Native boaters upstream. He said it was a popular spot for duck hunting in the fall.

Ron Hyde Jr.. came into the office today to discuss the Kinegnak River. Ron is currently going to college in Anchorage to take welding and business courses. Since his father's recent stroke, Ron Hyde Jr.. will be expected to take over more of Alaska River Safari's guiding business on the Goodnews River system. Ron has guided sport fish clients in the Goodnews area for the last thirteen years. He has a house at Goodnews Bay Village and has been on the villages search and rescue team for the last four years. On June 6, 1986, Hyde Jr.. had administered mouth to mouth to Clyde Huffman, a miner on Wattamuse Creek, after his recent heart attack. Hyde Jr.. said that Alaska River Safari's main camp on the Goodnews River was just downstream from Isurik Creek, and he was going to follow Huffman upstream. Hyde Jr.. had taken his eighteen-foot propellered Lund upstream on the Goodnews River to the airstrip on Slate Creek across from the mouth of Wattamuse Creek many times over the years and believed that it was not a problem for BLM's smallest craft and load. Wattamuse Creek itself was full of huge boulders and was too shallow for BLM's boat. Huffman use to park his boat at the mouth of Wattamuse Creek and take his three wheelers the remaining three fourths of a mile upstream to his cabin. Hyde Jr.. also has a camp on the Kinegnak River in the fall. On this river he usually takes his eighteen-foot Lund with a sixty-five horsepower propellered outboard. He uses this bigger motor because he said that the wind can create some dangerous sea conditions near Red Mountain. He has seen thirty-foot boats capsize near Red Mountain and likes to have the extra power to get back to Goodnews Bay Village before a storm comes up. Several boats have been stranded in Chagvan Bay because of the

rough seas. Some of the Platinum residents keep a three wheeler near Chagvan Bay in case they get weathered in. Each fall, Hyde Jr.. said that the Natives of Platinum and Goodnews Bay come to Chagvan Bay and/or the Kinegnak River for fish, duck, goose, seals, and clams. Camps are always set up near both sides of the entrance to Chagvan Bay and near the mouth of the Kinegnak River. The Natives' travel up the Unaluk River to reach the lakes south of the river for duck hunting. They travel up the Kinegnak each fall for the trout, white fish, black fish, greyling and ducks. The larger thirty foot vessels anchor near the southern side of the entrance to Chagvan Bay. From here they use their smaller skiffs to reach the Kinegnak River. Julius Henry of Platinum usually travels with Hyde Jr.. to hunt, trap and fish on the Kinegnak. They had both taken BLM's smallest commercial craft up the Kinegnak by propeller. Hyde Jr.. also regularly takes this size boat upstream past Shaw Creek each summer. The reason the valley appears to be marshy is because of the large number of beaver dams have caused this area to flood. The trees have also been killed as a result of the beavers. Hyde Jr.. said that the Kinegnak River is used by the Native boaters in the fall on high water upstream into T. 14 S., R. 73 W., SM. However, he believed that the thousand pounds could only be comfortably taken upstream through Sec. 12, T. 15 S., R. 74 W., SM. He had easily been this far with a smaller motor on his eighteen foot Lund and knew the Natives to go this distance in their propelled boats each fall. The shallowest part of the Kinegnak River was in it lowest reaches because of the sediment and sand that has accumulated from flooding. The Natives also liked to hunt the seals near the mouth of the Kinegnak River. The large number of cut banks along this river create an easy three to eight feet of water for this distance. The holes are deep enough for the fish to hold up under these cut banks for the entire winter. Hyde Jr.. had also been over the Kinegnak River by snow-machine many times. He said that the cliffs are over fifty feet straight down along the river where the boulders start to appear in the river. These boulders would create a problem for BLM's smallest propelled boat and load before reaching Fog and Wind Creek and especially where the hills converge with the river in T. 14 S., R. 73 W., SM. Hyde Jr.. was also very familiar with the Osviak River, and Warehouse Creek in T. 3 S., R. 74 W., SM.

David Rucke