

Alaska Native Claims Selection

On April 2, 1975, Doyon, Limited, filed selection application AA-8103-5, as amended, under the provisions of Sec. 12(c) of the Alaska Native Claims Settlement Act of December 18, 1971 (43 U.S.C. 1601, 1611(c) (1976)) (ANCSA), as amended, for the surface and subsurface estates of certain lands withdrawn pursuant to Sec. 11(a)(1) in the vicinity of Grayling.

The application excluded the Yellow River as being navigable. As the Yellow River is considered non-navigable and as Sec. 12(c)(3) of ANCSA and Departmental regulation 43 CFR 2652.3(c) require the region to select all available lands within the township, the bed of this water body is considered selected.

As to the lands described below, the application, as amended, is properly filed and meets the requirements of ANCSA, as amended, 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. 12(c) of ANCSA, as amended, aggregating approximately 74,733 acres, are considered proper for acquisition by Doyon, Limited, and are hereby approved for conveyance pursuant to Sec. 14(e) of ANCSA.

Kateel River Meridian, Alaska (Surveyed)

T. 29 S., R. 7 W., Sec. 1.

Containing approximately 362 acres.

Kateel River Meridian, Alaska (Unsurveyed)

T. 29 S., R. 9 W., Secs. 1 to 6, inclusive.

Containing approximately 3,373 acres.

Seward Meridian, Alaska (Surveyed)

T. 33 N., R. 55 W., Secs. 1 to 5, inclusive; Secs. 7 to 14, inclusive; F-17786 Parcel A; Secs. 16 to 21, inclusive; Sec. 22, excluding Native allotment F-17786 Parcel B; Secs. 23 to 32, inclusive; Secs. 33 and 34, excluding U.S. Survey No. 6608 and Native allotment F-027929 Parcel A; Secs. 35 and 36.

Containing approximately 21,557 acres.

Seward Meridian, Alaska (Unsurveyed)

T. 34 N., R. 58 W., Secs. 31 to 36, inclusive.

Containing approximately 3,630 acres.

T. 33 N., R. 59 W., Secs. 1 to 36, inclusive.

Containing approximately 23,005 acres.

T. 32 N., R. 60 W., Secs. 1 to 36, inclusive.

Containing approximately 22,806 acres.

Aggregating approximately 74,733 acres.

Excluded from the above-described lands herein approved for conveyance are the submerged lands, up to the ordinary high water mark, beneath all water bodies determined by the Bureau of Land Management to be navigable because they have been or could be used in connection with travel, trade and commerce. Those water bodies are identified on the attached navigability maps, the original of which will be found in easement case file AA-16630-5.

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

The lands excluded in the above description are not being approved for conveyance at this time and have been excluded because lands are under applications pending further adjudication. Lands within U.S. Surveys which are excluded are described separately in this decision if they are available for conveyance. These exclusions DO NOT constitute a rejection of the selection application, unless specifically so stated.

The conveyance issued for the surface and subsurface estates of lands described above shall contain the following reservation 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), as amended, the following public easements, referenced by easement identification number (EIN) on the easement maps attached to this document, copies of which will be found in case file AA-16630-5, are reserved to the United States. All easements are subject to applicable Federal, State, or Municipal corporation regulation. The following is a listing of uses allowed for each type of easement. Any uses which are not specifically listed are prohibited.

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

a. (EIN 23 C5) An easement for a proposed access trail twenty-five (25) feet in width from Sec. 31, T. 32 N., R. 59 W., Seward Meridian, southwesterly to Sec. 1, T. 31 N., R. 60 W., Seward Meridian. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement.

In view of the foregoing, the surface estate of the following described lands, selected pursuant to Sec. 12(a) of ANCSA, aggregating approximately 84,112 acres, is considered proper for acquisition by Hee-yea-lingde Corporation, and is hereby approved for conveyance pursuant to Sec. 14(a) of ANCSA.

U.S. Survey No. 4258, Alaska, situated on the right bank of the Yukon River approximately one mile south of Grayling, Alaska.

Containing 40.21 acres.

Kateel River Meridian, Alaska (Surveyed)

T. 29 S., R. 6 W., Sec. 2.

Containing 562.16 acres.

T. 29 S., R. 7 W., Secs. 3 to 6, inclusive.

Containing 2,249.38 acres.

Seward Meridian, Alaska (Surveyed)

T. 34 N., R. 55 W., Sec. 31.

Containing 595.43 acres.

T. 33 N., R. 56 W., Secs. 1 to 5, inclusive; Sec. 6, excluding Native allotments F-15478 Parcel B, F-027928 Parcel B, F-15476 Parcel D, and F-14996 Parcel B; Secs. 13, 14, and 15; Sec. 16, excluding Native allotment F-13864; Secs. 21 to 28, inclusive; Secs. 32 to 36, inclusive.

Containing approximately 14,184 acres.

T. 34 N., R. 56 W., Sec. 31, excluding Native allotment F-15478 Parcel B; Secs. 32 to 36, inclusive.

Containing approximately 2,668 acres.

T. 32 N., R. 57 W., Secs. 1 to 36, inclusive.

Containing approximately 21,701 acres.

T. 33 N., R. 57 W., Sec. 1, excluding Native allotment F-14996 Parcel B; Secs. 2 to 7, inclusive; Sec. 8, excluding Native allotment F-13862; Secs. 9 to 21, inclusive; Secs. 22 and 23, excluding U.S. Survey No. 6588 and Native allotments F-548 and F-385 Parcel B; Secs. 24 and 25; Sec. 26, excluding U.S. Survey No. 6588 and Native allotments F-548 and F-385 Parcel A; Sec. 27, excluding U.S. Survey No. 5384, U.S. Survey No. 6588, U.S. Survey No. 4226, and Native allotments F-548, F-027929 Parcel B, and F-385 Parcel A; Sec. 28, excluding Native allotments F-14996 Parcel A and F-13863 Parcel B; Secs. 29 to 33, inclusive; Sec. 34, excluding U.S. Survey No. 4226, U.S. Survey No. 4268 (Alaska Native Claims Settlement Act Sec. 3(e) application AA-18103), and Native allotments F-030465 and F-15279 Parcel B; Secs. 35 and 36.

Containing approximately 20,466 acres.

T. 34 N., R. 57 W., Secs. 34, 35, and 36.

Containing 1,821.12 acres.

T. 32 N., R. 58 W., Sec. 1, excluding U.S. Survey No. 4122, U.S. Survey No. 4258, U.S. Survey 4226, and Native allotments F-15279 Parcel B and F-030465; Secs. 2 to 34, inclusive; Secs. 35 and 36, excluding U.S. Survey No. 6609 (Native allotment F-15789 Parcel B).

Containing approximately 19,825 acres.

Aggregating approximately 84,072 acres.

Total aggregated acreage, approximately 84,112 acres.

Excluded from the above-described lands herein approved for conveyance are the submerged lands, up to the ordinary high water mark, beneath all water bodies determined by the Bureau of Land Management to be navigable because they have been or could be used in connection with travel, trade and commerce. Those water bodies are identified on the attached navigability maps, the original of which will be found in easement case file F-14863-EE.

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

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

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

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

2. Pursuant to Sec. 17(b) of the Alaska Native Claims Settlement

Act of December 18, 1971, (43 U.S.C. 1601, 1616(b)), as amended, the following public easements, referenced by easement identification number (EIN) on the easement maps attached to this document, copies of which will be found in case file F-14863-EE, are reserved to the United States. All easements are subject to applicable Federal, State, or Municipal corporation regulation. The following is a listing of uses allowed for each type of easement. Any uses which are not specifically listed are prohibited.

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

a. (EIN 8 D1) An easement, twenty-five (25) feet in width, for an existing access trail from Grayling in Sec. 34, T. 33 N., R. 57 W., and Sec. 1, T. 32 N., R. 58 W., Seward Meridian, southeasterly to public land. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement. The season of use will be limited to winter.

b. (EIN 34a C5) An easement, twenty-five (25) feet in width, for a proposed access trail from H Street at the north townsite boundary of Grayling in Sec. 27, T. 33 N., R. 57 W., Seward Meridian, westerly 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 after approval and filing by the Bureau of Land Management of the official supplemental plat of survey confirming the boundary description and acreage of the lands hereinabove granted;

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

3. Airport Lease, F-998, located in U.S. Survey No. 4258, within T. 32 N., R. 58 W., Seward Meridian, Alaska, issued to the State of Alaska, Division of Aviation, under the provisions of the act of May 24, 1928 (49 U.S.C. 211-214), as amended; and

4. Requirements of Sec. 14(c) of the Alaska Native Claims Settlement Act of December 18, 1971, (43 U.S.C. 1601, 1613(c)), as amended, that the grantee hereunder convey those portions, if any, of the lands hereinabove granted, as are prescribed in said section.

Hee-yea-lingde Corporation is entitled to conveyance of 92,160 acres of land selected pursuant to Sec. 12(a) of ANCSA. Together with the lands herein approved, the total acreage conveyed or approved for conveyance is approximately 84,112 acres. The remaining entitlement of approximately 8,048 acres will be conveyed at a later date.

Pursuant to Sec. 14(f) of ANCSA and Departmental regulation 43 CFR 2652.4, conveyance of the subsurface estate shall be issued to Doyon, Limited when the surface estate is conveyed to Hee-yea-lingde Corporation, 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 mineral materials from the subsurface estate in lands within the boundaries of the Native village of Grayling shall be subject to the consent of Hee-yea-lingde Corporation.

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 TIMES.

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 attached regulations in Title 43 CODE OF FEDERAL REGULATIONS (CFR), Part 4, Subpart E, as revised. However, pursuant to Public Law 96-487, this decision constitutes the final administrative determination of the Bureau of Land Management concerning navigability of water bodies. If an appeal is taken the notice of appeal must be filed in the Bureau of Land Management, Alaska State Office, Division of ANCSA and State Conveyances (960), 701 C Street, Box 13, Anchorage, Alaska 99513. Do not send the appeal directly to the Interior Board of Land Appeals. The appeal and copies of pertinent case files will be sent to the Board from this office. A copy of the appeal must be served upon the Regional Solicitor, 701 C Street, Box 34, Anchorage, Alaska 99513.

The time limits for filing an appeal are:

1. Parties receiving service of this decision shall have 30 days from the receipt of this decision to file an appeal.

2. Unknown parties, parties unable to be located after

reasonable efforts have been expended to locate, and parties who failed or refused to sign the return receipt shall have until October 29, 1982 to file an appeal.

Any party known or unknown who is adversely affected by this decision shall be deemed to have waived those rights which were adversely affected unless an appeal is timely filed with the Bureau of Land Management, Alaska State Office, Division of ANCSA and State Conveyances.

To avoid summary dismissal of the appeal, there must be strict compliance with the regulations governing such appeals. Further information on the manner of and requirements for filing an appeal may be obtained from the Bureau of Land Management, 701 C Street, Box 13, Anchorage, Alaska 99513.

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

Hee-yea-lingde Corporation
Grayling, Alaska 99590

Doyon, Limited
Land Department
Doyon Building
201 First Avenue
Fairbanks, Alaska 99701

/s/ Ann Johnson
Chief, Branch of
ANCSA Adjudication

UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT — ALASKA

Notice for Publication
F-19155-4
Alaska Native Claims Selection

On April 2, 1975, Doyon, Limited, filed selection application F-19155-4, as amended, under the provisions of Sec. 12(c) of the Alaska Native Claims Settlement Act of December 18, 1971 (43 U.S.C. 1601, 1611(c) (1976)) (ANCSA), as amended, for the surface and subsurface estates of certain lands withdrawn pursuant to Sec. 11(a)(1) for the Native village of Birch Creek. The application excluded the following water bodies as being navigable:

Chlova Lake in Secs. 12, 13, and 24, T. 16 N., R. 8 E., Fairbanks Meridian;

Hat Lie Lake in Secs. 14, 15, 22, 23, 26, and 27, T. 18 N., R. 10 E., Fairbanks Meridian;

Unnamed lakes in Secs. 18, 19, 29, and 30, T. 16 N., R. 10 E., Fairbanks Meridian.

As these are considered non-navigable and as Sec. 12(c)(3) of ANCSA and Departmental regulation 43 CFR 2652.3(c) require the region to select all available lands within the township, the beds of these water bodies are considered selected.

As to the lands described below, the application, as amended, is properly filed and meets the requirements of ANCSA, as amended, 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. 12(c) of ANCSA, as amended, aggregating approximately 201,748 acres, are considered proper for acquisition by Doyon, Limited, and are hereby approved for conveyance pursuant to Sec. 14(e) of ANCSA, as amended:

Fairbanks Meridian, Alaska (Unsurveyed)

T. 17 N., R. 7 E.,

Sec. 1, excluding Native allotment F-12114 Parcel A;
Sec. 3, excluding Native allotment F-035044 Parcel C;
Sec. 4;
Sec. 5, excluding Native allotment F-035044 Parcel D;
Secs. 6 and 7;
Sec. 8, excluding Native allotment F-035044 Parcel D;
Sec. 9;
Sec. 10, excluding Native allotment F-12114 Parcel B;
Sec. 11, excluding Native allotment F-12114 Parcels A and B;
Secs. 12 to 24, inclusive;
Secs. 25 and 26, excluding Native allotment F-18824;
Secs. 27 to 34, inclusive;
Secs. 35 and 36, excluding Native allotment F-18824.

Containing approximately 21,856 acres.

T. 19 N., R. 7 E.,

Sec. 1;
Sec. 2, excluding Native allotment F-13448 Parcel A;
Secs. 3 to 36, inclusive.

Containing approximately 22,568 acres.

T. 16 N., R. 8 E.,

Sec. 1, excluding Native allotments F-14716 Parcel C, F-17740 Parcel C, and F-14726;
Secs. 2 to 11, inclusive;
Sec. 12, excluding Native allotments F-14811 Parcel B and F-14726;
Sec. 13, excluding Native allotment F-14776 Parcel C;
Secs. 14 to 20, inclusive;
Sec. 21, excluding Native allotments F-14716 Parcel A, F-14776 Parcel A, and F-17740 Parcel A;
Sec. 22, excluding Native allotment F-14716 Parcel A;
Secs. 23 to 26, inclusive;
Sec. 27, excluding Native allotment F-17758;
Secs. 28 to 36, inclusive.

Containing approximately 21,582 acres.

T. 18 N., R. 8 E.,

Secs. 1 to 36, inclusive.

Containing approximately 22,677 acres.

T. 15 N., R. 9 E.,

Secs. 1 to 36, inclusive.

Containing approximately 22,845 acres.