

On April 18, 1976, in accordance with Title 10, Chapter 05 of the Alaska Business Corporation Act, and as authorized by the act of January 2, 1976 (43 U.S.C. 1627), the following Native village corporations and NANA Regional Corporation, Inc. merged, with NANA Regional Corporation, Inc. being the surviving corporation:

Akulak Incorporated (Selawik);
Buckland Nunachlak Corporation (Buckland);
Deering Ignatchiak Corporation (Deering);
Ivissapagmitt Corporation (Ambler), also known as Ivissapagmitt Corporation;
Isingnakmeut Incorporated (Shungnak), also known as Isingnakmeut Incorporated;
Katyak Corporation (Kiana);
Kivalina Sinuakmeut Corporation (Kivalina);
Kooovukmeut Incorporated (Kobuk), also known as Kooovukmeut Incorporated;
Noatak Napaaktukmeut Corporation (Noatak);
Putoo Corporation (Noorvik).

As to the lands described below, the applications, submitted by Kivalina Sinuakmeut Corporation, as amended, are properly filed and meet the requirements of the Alaska Native Claims Settlement Act and of the regulations issued pursuant thereto. These lands do not include any lawful entry perfected under or being maintained in compliance with laws leading to acquisition of title. In view of the foregoing, the surface estate of the following described lands, selected pursuant to Sec. 12(a) of ANCSA, aggregating approximately 79,714 acres, is considered proper for acquisition by NANA Regional Corporation, Inc., as successor in interest to Kivalina Sinuakmeut Corporation, and is hereby approved for conveyance pursuant to Sec. 14(a) of ANCSA.

U.S. Survey No. 3778, Alaska, lot 2, situated on a sand spit between the Chukchi Sea and Corwin Lagoon approximately 1/4 mile NW of the village of Kivalina, Alaska.

Containing 2.40 acres.

U.S. Survey No. 5982, Alaska, Townships of Kivalina, block 6, lot 1, situated on the east shore of the Chukchi Sea approximately 75 miles northwest of Kotzebue.

Containing .59 acre.

Aggregating 2.99 acres.

Kateel River Meridian, Alaska (Surveyed)

T. 25 N., R. 24 W.
Sec. 3, excluding U.S. Survey No. 6807;
Sec. 4 (fractional), excluding U.S. Survey No. 6807, Native allotments F-13916 Parcel A, and F-14248 Parcel A;
Secs. 9 and 10 (fractional), excluding U.S. Survey No. 6807;
Secs. 14 and 15 (fractional);
Secs. 23, 25, 26, and 36 (fractional).

Containing approximately 3,338 acres.

T. 26 N., R. 24 W.
Secs. 17 and 18, excluding Native allotments F-14241 Parcel B and F-15042 Parcel C;
Sec. 19 (fractional);
Sec. 20 (fractional), excluding Native allotment F-15042 Parcel D;
Sec. 29, 30, and 32 (fractional);
Sec. 33 (fractional), excluding Native allotment F-13916 Parcel A.

Containing approximately 2,661 acres.

T. 26 N., R. 24 W.
Sec. 13, excluding Native allotments F-14969 Parcels A and B, F-15009 Parcels A and B, and F-17302;
Secs. 14 to 19, inclusive;
Secs. 20 and 21, excluding Native allotment F-14205;
Sec. 22, excluding Native allotments F-13436 Parcel B and F-14381 Parcel B;
Sec. 23, excluding Native allotments F-13435 and F-13436 Parcel B;
Sec. 24, excluding Native allotments F-13435 and F-14969 Parcels A and B;
Sec. 26, excluding Native allotments F-13435, F-13436 Parcel B, and F-13913 Parcel A;
Sec. 27, excluding Native allotments F-13436 Parcel B, F-13778 Parcel A, and F-14381 Parcel B;
Sec. 28, excluding Native allotments F-13778 Parcel A, F-13916 Parcel B, and F-14205;
Sec. 29, excluding Native allotments F-13911 and F-14205;
Sec. 30, excluding Native allotments F-13910, F-13911, and F-14207 Parcel B;
Secs. 31 to 34, inclusive.

Containing approximately 11,553 acres.

T. 26 N., R. 25 W.
Secs. 4, 5, and 8 (fractional);
Sec. 9 (fractional), excluding Native allotment F-14207 Parcel C;
Sec. 10 (fractional), excluding Native allotments F-13912 Parcel B and F-14207 Parcel C;
Secs. 13 and 14 (fractional), excluding Native allotment F-13912 Parcel A;
Sec. 15 (fractional), excluding Native allotment F-13912 Parcel B.

Containing approximately 514 acres.

T. 27 N., R. 25 W.
Sec. 6, excluding Native allotments F-13909 Parcel B, F-17820, and F-17830;
Sec. 7;
Sec. 31 (fractional), excluding U.S. Survey No. 6816 (Native allotment F-14180).

Containing approximately 1,000 acres.

T. 28 N., R. 25 W.
Sec. 3;
Sec. 4, excluding Native allotment F-14381 Parcel A;
Secs. 5 and 6, excluding Native allotment F-13909 Parcel A;
Secs. 7, 8 and 13;
Secs. 17 to 20, inclusive;

Sec. 24;
Sec. 25, excluding Native allotment F-14241 Parcel A;
Sec. 26, excluding Native allotment F-14197;
Sec. 27, excluding U.S. Survey No. 6837, Native allotments F-14159, and F-14195;
Sec. 28, excluding U.S. Survey No. 6837, Native allotments F-14159, F-14195, and F-15071 Parcel A;
Sec. 29, excluding Native allotment F-14243 Parcel B;
Sec. 30;
Sec. 31, excluding Native allotments F-13783 Parcel C, F-13915 Parcel A, and F-17830;
Sec. 32, excluding Native allotments F-13783 Parcel C and F-13906 Parcel A;
Sec. 33, excluding U.S. Survey No. 6837, Native allotments F-14159, and F-15071 Parcel A;
Sec. 34, excluding U.S. Survey No. 6837, Native allotments F-14159, and F-14197;
Sec. 35, excluding Native allotment F-14197;
Sec. 36, excluding Native allotment F-14241 Parcel A.

Containing approximately 13,494 acres.

T. 29 N., R. 25 W.
Secs. 12, 13, and 24;
Sec. 25, excluding Native allotment F-13914 Parcel B;
Secs. 26 to 29, inclusive;
Secs. 31 to 35, inclusive;
Sec. 36, excluding Native allotment F-14200.

Containing approximately 6,719 acres.

T. 27 N., R. 26 W.
Sec. 1, excluding Native allotments F-14192 and F-14199 Parcel B;
Secs. 2, 3, and 4;
Secs. 5 to 9 (fractional), inclusive;
Sec. 10, excluding Native allotment F-14190;
Sec. 11, excluding Native allotment F-14248 Parcel B;
Sec. 12, excluding Native allotments F-14192 and F-14248 Parcel B;
Sec. 13, excluding U.S. Survey No. 6818, (Native allotment F-14161) and U.S. Survey No. 6856 (Native Allotment F-14203 Parcel A);
Sec. 14, excluding U.S. Survey No. 6856 (Native Allotment F-14203 Parcel A);
Sec. 15 (fractional);
Secs. 16 and 17 (fractional), excluding U.S. Survey No. 3778;
Secs. 22 and 23 (fractional);
Sec. 24;
Secs. 25, 26, and 27 (fractional);
Sec. 36 (fractional), excluding U.S. Survey No. 6816 (Native allotment F-14160).

Containing approximately 9,064 acres.

T. 28 N., R. 26 W.
Secs. 1 to 13, inclusive;
Sec. 14, excluding U.S. Survey No. 6853, lot 1 (Native allotment F-14191);
Sec. 15, excluding U.S. Survey No. 6853, lot 1 (Native allotment F-14191), and U.S. Survey No. 6853, lot 2 (Native allotment F-13905);
Secs. 16, 17, 18, and 19;
Sec. 20, excluding Native allotments F-13906 Parcel B, F-14337, and F-15071 Parcel B;
Sec. 21, excluding Native allotment F-14337;
Sec. 22, excluding U.S. Survey No. 6853, lot 1 (Native allotment F-14191) and U.S. Survey No. 6853, lot 2 (Native allotment F-13905);
Sec. 23, excluding U.S. Survey No. 6853, lot 1 (Native allotment F-14191) and Native allotment F-15042 Parcel B;
Secs. 24 to 30, inclusive;
Sec. 31 (fractional);

Secs. 32, 33, 34, and 35;
Sec. 36, excluding Native allotment F-13915 Parcel A.
Containing approximately 21,247 acres.
T. 27 N., R. 27 W.
Sec. 1 (fractional).
Containing approximately 19 acres.
T. 28 N., R. 27 W.
Secs. 1 to 5, inclusive;
Sec. 6 (fractional), excluding U.S. Survey No. 6822;
Secs. 7 and 8 (fractional);
Sec. 9;
Sec. 10 (fractional), excluding U.S. Survey No. 6845, Native allotments F-14246 Parcel A, and F-16459;
Secs. 11 and 12;
Sec. 13, excluding Native allotment F-18030;
Sec. 14 (fractional), excluding Native allotments F-15042 Parcel A and F-18030;
Sec. 15 (fractional), excluding U.S. Survey No. 6833, lots 1 and 3, Native allotments F-14193, F-14203 Parcel B, and F-14246 Parcel A;
Sec. 16 (fractional), excluding U.S. Survey No. 6833 and Native allotments F-13915 Parcel B, F-14193, and F-14203 Parcel B;
Sec. 17 (fractional);
Sec. 22 (fractional), excluding U.S. Survey No. 6842, U.S. Survey No. 6833, lot 2, Native allotments F-14203 Parcel B, and F-14247;
Secs. 23, 24, and 25 (fractional);
Sec. 26 (fractional), excluding U.S. Survey No. 6838 and U.S. Survey No. 6842 (Native allotment F-14247);
Secs. 35 and 36 (fractional), excluding U.S. Survey No. 6836 and Native allotment F-13909 Parcel C.
Containing approximately 8,075 acres.

T. 28 N., R. 26 W.
Sec. 1 (fractional), excluding U.S. Survey No. 6822.

Containing approximately 27 acres.

Aggregating approximately 79,711 acres.

Total aggregated acreage, approximately 79,714 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, or are tidally influenced. Those water bodies are identified on the attached navigability maps, the original of which will be found in the easement case file F-14876-EE.

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

The lands excluded in the above description are not being approved for conveyance at this time and have been excluded for one or more of the following reasons: Lands are no longer under Federal jurisdiction or 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 estates of the lands described above shall contain the following reservations to the United States:

1. The subsurface estate therein, and all

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

2. Pursuant to Sec. 17(b) of the Alaska Native Claims Settlement Act of December 18, 1971 (43 U.S.C. 1601, 1616(b)), the following public easements referenced by easement identification number (EIN) on the easement maps attached to this document, copies of which will be found in case file F-14876-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, dog sled, animals, snowmobiles, two- and three-wheel vehicles, and small all-terrain vehicles (ATVs) (less than 3,000 lbs. Gross Vehicle Weight (GVW)).

a. (EIN 1 C3, C5, D1, D9) An easement for an existing access trail twenty-five (25) feet in width from Sec. 36, T. 25 N., R. 24 W., Kateel River Meridian, northwesterly to Sec. 32, T. 29 N., R. 27 W., Kateel River Meridian. 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 only.

b. (EIN 16 C5, D9) An easement for an existing access trail twenty-five (25) feet in width from Sec. 21, T. 27 N., R. 26 W., Kateel River Meridian, easterly 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 the 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), 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(d) of the Alaska Native Claims Settlement Act of December 18, 1971 (43 U.S.C. 1601, 1613(c)), that the grantee hereunder convey those portions, if any, of the lands hereinabove granted, as are prescribed in said section.

NANA Regional Corporation, Inc., as successor in interest to Kivalina Sinuakmeut 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 79,714 acres. The remaining entitlement of approximately 12,446 acres will be conveyed at

a later date.

Pursuant to Sec. 14(f) of ANCSA, conveyance of the subsurface estate of the lands described above shall be issued to NANA Regional Corporation, Inc. when the surface estate is conveyed to NANA Regional Corporation, Inc., as successor in interest to Kivalina Sinuakmeut Corporation, and shall be subject to the same conditions as the surface conveyance.

In accordance with Departmental regulation 43 CFR 2650.7(d), notice of this decision is being published once in the FEDERAL REGISTER and once a week, for four (4) consecutive weeks, in the TUNDRA 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 Conveyance Management (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 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 August 8, 1983, 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 Conveyance Management.

To avoid summary dismissal of the appeal, there must be strict compliance with the regulations governing such appeal. 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:

State of Alaska
Department of Natural Resources
Division of Land and Water
Management
Pouch 7-005
Anchorage, Alaska 99510

NANA Regional Corporation, Inc.
Successor in interest to
Kivalina Sinuakmeut Corporation
P.O. Box 49
Kotzebue, Alaska 99752

/s/Steven L. Willis
Acting Section Chief
Branch of ANCSA
Adjudication