

**ATTACHMENTS**

**for**

**Kuskokwak Creek**

**INTERIM SUMMARY REPORT**

Prepared by Edwin Shoaf, Historian  
Alaska Conservation Corps

Kuskokwim Assistance Agreement  
Phase II-B Submission

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

June 29, 2010



## United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Alaska State Office  
701 C Street, Box 13  
Anchorage, Alaska 99513Amendment to  
Baird Inlet-V5-83-03  
F-14854-A (2651)  
F-14854-EE (75.4)

→ the 1:63,000 topo shows the Kuskokwak  
in Section 28 not 29 as stated here.

AUG 03 1983

Wheeler of BLM says the sec 29 came from a projection  
diagram which varies from topo.

DPO Aug 17, 83.

## Memorandum

To: Assistant Deputy State Director for Conveyance Management (960)

From: Deputy State Director for Conveyance Management (960)

Subject: Amendment to Final Navigability Determination for the Village of Eek

In the original report, since the Villagers only used Kuskokwak Creek up to the mean high tide line, we deferred making a judgment on that creek until delineation of the mean high tide line by survey. Our information, however, indicated that the mean high tide line and consequently use by the Villagers is well upstream of Section 29, T. 1 S., R. 75 W., Seward Meridian of the selection area.

Based on this information and the original report, I determine that Kuskokwak Creek serves as a useful highway for watercraft and is, therefore, navigable through Section 29, T. 1 S., R. 75 W., Seward Meridian. The mean high tide line and the upper limit of use on Kuskokwak Creek will be established at the time of survey. This amendment should be attached to the original report.

cc:

/s/ ROBERT W. FAITHFUL

Retained Lands Unit - Navigability  
Division of Land and Water Management  
Alaska Department of Natural Resources  
Pouch 7-055  
Anchorage, Alaska 99510

Title Administration  
Division of Technical Services  
Department of Natural Resources  
Pouch 10-7035  
Anchorage, Alaska 99510

**Kuskokwak Creek  
Interim Summary Report  
Attachment 1**

INTERIM CONVEYANCE

WHEREAS

Iqfijouaq Company

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

Seward Meridian, Alaska (Unsurveyed)

- T. 1 S., R. 75 W. Baird Inlet A1
- Sec. 1, excluding Native allotment F-15784 Parcel B;
- Secs. 2 and 3;
- Secs. 5 and 8 (fractional);
- Sec. 11, excluding Native allotment F-15778 Parcel C;
- Sec. 17;
- Sec. 18 (fractional), excluding Native allotment F-16055 Parcel B;
- Sec. 19 (fractional);
- Secs. 27 and 28;
- Sec. 29, excluding Native allotment F-16055 Parcel C;
- Sec. 30 (fractional), excluding Native allotment F-15675 Parcel D;
- Sec. 31 (fractional);
- Sec. 32 (fractional), excluding Native allotment litigation AA-37759 Parcel B;
- Secs. 33 and 34.

Containing approximately 7,725 acres.

- T. 1 N., R. 72 W. Baird A3
- Sec. 4;
- Sec. 5, excluding Native allotments F-15839 Parcel C and F-16054 Parcel A;
- Secs. 9, 10, and 11;
- Secs. 13, 14, and 24.

Containing approximately 4,122 acres.

799

Interim Conveyance No. \_\_\_\_\_

Date \_\_\_\_\_ FEB 29 1984

T. 2 N., R. 72 W. *Block A8 B8*  
Sec. 30, excluding Native allotments F-15813 Parcel C,  
F-15841 Parcel D, F-16966 Parcel B, and F-19113  
Parcel B;  
Sec. 31, excluding Native allotments F-15781 Parcel C  
and F-15784 Parcel D;  
Sec. 32, excluding Native allotment F-16054 Parcel A.

Containing approximately 1,347 acres.

T. 3 N., R. 72 W. *Block B8*  
Sec. 6, excluding Native allotment F-15686 Parcel B.

Containing approximately 466 acres.

T. 4 N., R. 72 W. *Block B2*  
Sec. 4, excluding Native allotment F-17517;  
Secs. 5, 8, and 17;  
Sec. 20, excluding Native allotments F-025349 Parcel B  
and F-15812 Parcel D;  
Sec. 21;  
Sec. 28, excluding Native allotments F-15842 Parcel C  
and F-16967 Parcel C;  
Sec. 29, excluding Native allotments F-025349 Parcel B,  
F-15812 Parcel D, F-15842 Parcel C, and F-16967  
Parcel C;  
Sec. 31, excluding Native allotment F-16053 Parcel B;  
Sec. 32, excluding Native allotments F-029876 Parcel C,  
F-16053 Parcel B, and F-19113 Parcel C;  
Sec. 33, excluding Native allotments F-029876 Parcel D,  
F-19026, and Native allotment litigation AA-51116  
Parcel B.

Containing approximately 5,439 acres.

T. 1 N., R. 73 W.  
Sec. 7, excluding Native allotment F-15779;  
Sec. 18, excluding Native allotment F-15706 Parcel B;  
Sec. 19, excluding Native allotment F-15777 Parcel A.

Containing approximately 1,662 acres.

Interim Conveyance No. 799

Date FEB 29 1984

- Baird Inlet A1 B1*  
*Bethel*  
*A 8 BE*
- T. 2 N., R. 73 W.  
 Secs. 1 and 2;  
 Sec. 3, excluding Native allotments F-15661 Parcel A  
 and F-16054 Parcel C;  
 Secs. 4 to 9, inclusive;  
 Sec. 10, excluding Native allotment F-16053 Parcel A;  
 Secs. 11 to 14, inclusive;  
 Sec. 15, excluding Native allotments F-15704 Parcel A,  
 F-15775 Parcel A, F-15778 Parcel A, F-15780  
 Parcel B, F-15786 Parcel D, and F-18687 Parcel B;  
 Sec. 16, excluding Native allotments F-15660 Parcel D,  
 F-15775 Parcel B, F-15776 Parcel C, and F-15784  
 Parcel C;  
 Sec. 17, excluding Native allotment F-15777 Parcel D;  
 Sec. 18;  
 Sec. 19, excluding Native allotment F-15783;  
 Sec. 20, excluding Native allotment F-15651 Parcel A;  
 Sec. 21;  
 Sec. 22, excluding Native allotments F-15650 Parcel D  
 and F-16967 Parcel B;  
 Sec. 23, excluding Native allotment F-15775 Parcel C;  
 Sec. 24;  
 Sec. 25, excluding Native allotments F-15660 Parcel B  
 and F-15813 Parcel C;  
 Sec. 26, excluding Native allotment F-15650 Parcel C;  
 Secs. 27 and 28, excluding Native allotment F-16967  
 Parcel A;  
 Sec. 29, excluding Native allotment F-15777 Parcel B;  
 Sec. 30, excluding Native allotments F-15626 Parcel A  
 and F-15641 Parcel A;  
 Sec. 32, excluding Native allotments F-15775 Parcel D  
 and F-16966 Parcel A;  
 Sec. 33, excluding Native allotment F-15778 Parcel B;  
 Sec. 34, excluding Native allotments F-15675 Parcel A  
 and F-15840 Parcel D;  
 Sec. 35;  
 Sec. 36, excluding Native allotments F-15629 Parcels A  
 and D and F-18321 Parcel D.

Containing approximately 19,473 acres.

Interim Conveyance No. 799  
 Date FEB 29 1984

*Banded Inset 13115B*

T. 3 N., R. 73 W.

- Sec. 1, excluding Native allotments F-16055 Parcel A, F-16056 Parcel B, and F-18321 Parcel C;
- Sec. 2, excluding Native allotments F-15661 Parcel C and F-16056 Parcel B;
- Sec. 3, excluding Native allotment F-15627 Parcel A;
- Sec. 4, excluding Native allotments F-15705 Parcel A, F-15784 Parcel A, and F-15785 Parcel A;
- Sec. 9, excluding Native allotment F-15784 Parcel A;
- Sec. 10, excluding Native allotments F-029876 Parcel E, F-15627 Parcel A, F-15780 Parcel A, F-15786 Parcel A, and F-15841 Parcel A;
- Sec. 15, excluding Native allotments F-15706 Parcel A and F-15780 Parcel A;
- Sec. 16, excluding Native allotment F-15706 Parcel A;
- Sec. 17, excluding Native allotment F-15778 Parcel D;
- Sec. 18, excluding Native allotment litigation AA-51118 Parcel A;
- Secs. 19, 20, and 21;
- Sec. 22, excluding Native allotments F-15776 Parcels A and B and F-18686 Parcel B;
- Sec. 27, excluding Native allotment litigation AA-51118 Parcel B;
- Secs. 28 to 34, inclusive.

Containing approximately 12,263 acres.

*Banded Inset A1*

T. 1 N., R. 74 W.

- Sec. 1, excluding Native allotments F-15627 Parcel B and F-15650 Parcel B;
- Sec. 5, excluding Native allotment F-17479 Parcel A;
- Secs. 6 and 7;
- Sec. 11, excluding Native allotment F-15704 Parcel C;
- Sec. 12, excluding Native allotments F-15651 Parcel D, F-15780 Parcel D, and F-15813 Parcel B;
- Secs. 13, 14, and 15;
- Sec. 21, excluding Native allotment F-18321 Parcel B;
- Sec. 22;
- Sec. 23, excluding Native allotment F-15705 Parcel C;

**799**

Interim Conveyance No. \_\_\_\_\_

Date FEB 29 1984

- Secs. 24 and 25;
- Sec. 26, excluding Native allotments F-15675 Parcel C, F-15686 Parcel C, F-15780 Parcel C, and F-15841 Parcel B;
- Sec. 27, excluding Native allotments F-15629 Parcel B, F-15675 Parcel C, F-18687 Parcel A, and Native allotment litigation AA-51118 Parcel C;
- Sec. 28, excluding Native allotment F-18687 Parcel A;
- Sec. 29, excluding Native allotment F-15627 Parcel C;
- Secs. 31 to 35, inclusive;
- Sec. 36, excluding Native allotment F-16202 Parcel D.

Containing approximately 13,467 acres.

T. 2 N., R. 74 W.

- Secs. 1, 2, and 3; *Baird Inlet A/B/*
- Secs. 11 and 12;
- Secs. 13 and 14, excluding Native allotment F-15782;
- Sec. 19;
- Sec. 20, excluding Native allotment F-15781 Parcel D;
- Sec. 21, excluding Native allotments F-15660 Parcel C and F-17479 Parcel B;
- Secs. 22 and 23;
- Sec. 24, excluding Native allotment F-15782;
- Sec. 25, excluding Native allotment F-15641 Parcel B;
- Sec. 26;
- Sec. 27, excluding Native allotment F-15842 Parcel A;
- Sec. 28, excluding Native allotment F-15660 Parcel A;
- Secs. 29, 30, and 31;
- Sec. 32, excluding Native allotment F-15781 Parcel A;
- Sec. 33, excluding Native allotment F-15660 Parcel A.

Containing approximately 11,450 acres.

T. 3 N., R. 74 W.

- Sec. 3, excluding Native allotment litigation AA-51116 Parcel A; *Baird Inlet B/*
- Sec. 10;
- Secs. 13, 14, and 15;

Interim Conveyance No. \_\_\_\_\_

**799**

Date \_\_\_\_\_

**FEB 29 1984**

Secs. 22 to 27, inclusive;  
Secs. 34, 35, and 36.

Containing approximately 8,630 acres.

T. 4 N., R. 74 W. *Baird Inlet 131*  
Secs. 4, 9, and 16;  
Secs. 21, 28, and 33;  
Sec. 34, excluding Native allotment litigation AA-51116  
Parcel A.

Containing approximately 4,440 acres.

T. 1 N., R. 75 W. *Baird Inlet A/A*  
Sec. 1;  
Sec. 2, excluding Native allotment litigation AA-51118  
Parcel D;  
Sec. 3;  
Sec. 4, excluding Native allotment F-15675 Parcel B;  
Secs. 5 and 8;  
Sec. 9, excluding Native allotment F-15675 Parcel B;  
Secs. 10 to 14, inclusive;  
Sec. 15, excluding Native allotment F-19113 Parcel A;  
Secs. 16, 17, and 21;  
Sec. 22, excluding Native allotments F-15781 Parcel B  
and F-15785 Parcel C;  
Sec. 28;  
Secs. 32 and 33 (fractional).

Containing approximately 6,865 acres.

T. 2 N., R. 75 W. *Baird Inlet 11 12 13 14*  
Secs. 15, 21, 22, and 23;  
Secs. 26, 27, 28, and 32;  
Sec. 33, excluding Native allotment F-029874;  
Secs. 34, 35, and 36.

Containing approximately 6,235 acres.

Aggregating approximately 103,584 acres.

Interim Conveyance No. 799

Date FEB 29 1984

Excluded from the above-described lands herein conveyed are the submerged lands, up to the ordinary high water mark, beneath all water bodies determined by the Bureau of Land Management to be navigable because they have been or could be used in connection with travel, trade and commerce or are pending a tidal determination at the time of survey. Those water bodies are identified on the attached navigability maps, the original of which will be found in easement case file F-14854-EE.

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

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

1. The subsurface estate therein, and all rights, privileges, immunities, and appurtenances, of whatsoever nature, accruing unto said estate pursuant to the Alaska Native Claims Settlement Act of December 18, 1971, 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 easement, referenced by easement identification number (EIN) on the easement maps attached to this document, copies of which will be found in case file F-14854-EE, is reserved to the United States. All easements are subject to applicable Federal, State, or Municipal corporation regulation. The following is a listing of uses allowed for this 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

Interim Conveyance No. \_\_\_\_\_

**799**

Date \_\_\_\_\_

**FEB 29 1984**

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)).

(EIN 1 C3, D1, D9) An easement twenty-five (25) feet in width for an existing access trail from the left bank of the Eenayarak River, in Sec. 18, T. 3 N., R. 73 W., Seward Meridian, southerly to Eek. 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.

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

1. Issuance of a patent after approval and filing by the Bureau of Land Management of the official plat of survey confirming the boundary description and acreage of the lands hereinabove granted;
2. Valid existing rights therein, if any, including but not limited to those created by any lease (including a lease issued under Sec. 6(g) of the Alaska Statehood Act of July 7, 1958, 48 U.S.C. Ch. 2, Sec. 6(g)), contract, permit, right-of-way, or easement, and the right of the lessee, contractee, permittee, or grantee to the complete enjoyment of all rights, privileges, and benefits thereby granted to him. Further, pursuant to Sec. 17(b)(2) of the Alaska Native Claims Settlement Act of December 18, 1971 (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; and
3. The following third-party interest, identified by the U.S. Department of the Interior, Fish and Wildlife Service, as provided by Sec. 14(g) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. 1601, 1613(g):

Interim Conveyance No. \_\_\_\_\_

**799**

Date \_\_\_\_\_

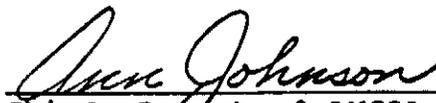
FEB 29 1984

Airport lease M-133-YD issued to the State of Alaska, Department of Transportation and Public Facilities, located in Sec. 32, T. 2 N., R. 73 W., Seward Meridian, Alaska. (Formerly airport lease F-14148, issued under the provisions of the act of May 24, 1928, as amended, 49 U.S.C. 211-214); and

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

IN WITNESS WHEREOF, the undersigned authorized officer of the Bureau of Land Management has, in the name of the United States, set her hand and caused the seal of the Bureau to be hereunto affixed on this 29th day of February, 1984, in Anchorage, Alaska.

UNITED STATES OF AMERICA

  
\_\_\_\_\_  
Chief, Branch of ANCSA  
Adjudication

Interim Conveyance No. \_\_\_\_\_

**799**

Date \_\_\_\_\_

**FEB 29 1984**

INTERIM CONVEYANCE

WHEREAS

Calista Corporation

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

Interim Conveyance No. 799

Seward Meridian, Alaska (Unsurveyed)

T. 1 S., R. 75 W.

- Sec. 1, excluding Native allotment F-15784 Parcel B;
- Secs. 2 and 3;
- Secs. 5 and 8 (fractional);
- Sec. 11, excluding Native allotment F-15778 Parcel C;
- Sec. 17;
- Sec. 18 (fractional), excluding Native allotment F-16055 Parcel B;
- Sec. 19 (fractional);
- Secs. 27 and 28;
- Sec. 29, excluding Native allotment F-16055 Parcel C;
- Sec. 30 (fractional), excluding Native allotment F-15675 Parcel D;
- Sec. 31 (fractional);
- Sec. 32 (fractional), excluding Native allotment litigation AA-37759 Parcel B;
- Secs. 33 and 34.

Containing approximately 7,725 acres.

T. 1 N., R. 72 W.

- Sec. 4;
- Sec. 5, excluding Native allotments F-15839 Parcel C and F-16054 Parcel A;

Interim Conveyance No. 800

Date FEB 29 1984

F-14854-A

Secs. 9, 10, and 11;  
Secs. 13, 14, and 24.

Containing approximately 4,122 acres.

T. 2 N., R. 72 W. *Bethel 98 02*  
Sec. 30, excluding Native allotments F-15813 Parcel C,  
F-15841 Parcel D, F-16966 Parcel B, and F-19113  
Parcel B;  
Sec. 31, excluding Native allotments F-15781 Parcel C  
and F-15784 Parcel D;  
Sec. 32, excluding Native allotment F-16054 Parcel A.

Containing approximately 1,347 acres.

T. 3 N., R. 72 W. *Bethel 02*  
Sec. 6, excluding Native allotment F-15686 Parcel B.

Containing approximately 466 acres.

T. 4 N., R. 72 W. *Bethel 128*  
Sec. 4, excluding Native allotment F-17517;  
Secs. 5, 8, and 17;  
Sec. 20, excluding Native allotments F-025349 Parcel B  
and F-15812 Parcel D;  
Sec. 21;  
Sec. 28, excluding Native allotments F-15842 Parcel C  
and F-16967 Parcel C;  
Sec. 29, excluding Native allotments F-025349 Parcel B,  
F-15812 Parcel D, F-15842 Parcel C, and F-16967  
Parcel C;  
Sec. 31, excluding Native allotment F-16053 Parcel B;  
Sec. 32, excluding Native allotments F-029876 Parcel C,  
F-16053 Parcel B, and F-19113 Parcel C;  
Sec. 33, excluding Native allotments F-029876 Parcel D,  
F-19026, and Native allotment litigation AA-51116  
Parcel B.

Containing approximately 5,439 acres.

Interim Conveyance No.

**800**

Date

**FEB 28 1984**

F-14854-A

T. 1 N., R. 73 W. *Barnd J. 1st A1 Bethel A2*  
Sec. 7, excluding Native allotment F-15779;  
Sec. 18, excluding Native allotment F-15706 Parcel B;  
Sec. 19, excluding Native allotment F-15777 Parcel A.

Containing approximately 1,662 acres.

T. 2 N., R. 73 W. *Barnd J. 1st A1 B1, Bethel No B2*  
Secs. 1 and 2;  
Sec. 3, excluding Native allotments F-15661 Parcel A  
and F-16054 Parcel C;  
Secs. 4 to 9, inclusive;  
Sec. 10, excluding Native allotment F-16053 Parcel A;  
Secs. 11 to 14, inclusive;  
Sec. 15, excluding Native allotments F-15704 Parcel A,  
F-15775 Parcel A, F-15778 Parcel A, F-15780  
Parcel B, F-15786 Parcel D, and F-18687 Parcel B;  
Sec. 16, excluding Native allotments F-15660 Parcel D,  
F-15775 Parcel B, F-15776 Parcel C, and F-15784  
Parcel C;  
Sec. 17, excluding Native allotment F-15777 Parcel D;  
Sec. 18;  
Sec. 19, excluding Native allotment F-15783;  
Sec. 20, excluding Native allotment F-15651 Parcel A;  
Sec. 21;  
Sec. 22, excluding Native allotments F-15650 Parcel D  
and F-16967 Parcel B;  
Sec. 23, excluding Native allotment F-15775 Parcel C;  
Sec. 24;  
Sec. 25, excluding Native allotments F-15660 Parcel B  
and F-15813 Parcel C;  
Sec. 26, excluding Native allotment F-15650 Parcel C;  
Secs. 27 and 28, excluding Native allotment F-16967  
Parcel A;  
Sec. 29, excluding Native allotment F-15777 Parcel B;  
Sec. 30, excluding Native allotments F-15626 Parcel A  
and F-15641 Parcel A;  
Sec. 32, excluding Native allotments F-15775 Parcel D  
and F-16966 Parcel A;  
Sec. 33, excluding Native allotment F-15778 Parcel B;

Interim Conveyance No. \_\_\_\_\_

**800**

Date \_\_\_\_\_

**FEB 29 1984**

F-14854-A

- Sec. 34, excluding Native allotments F-15675 Parcel A and F-15840 Parcel D;
- Sec. 35;
- Sec. 36, excluding Native allotments F-15629 Parcels A and D and F-18321 Parcel D.

Containing approximately 19,473 acres.

T. 3 N., R. 73 W.

*Baird Inlet*

*B1 B2*

- Sec. 1, excluding Native allotments F-16055 Parcel A, F-16056 Parcel B, and F-18321 Parcel C;
- Sec. 2, excluding Native allotments F-15661 Parcel C and F-16056 Parcel B;
- Sec. 3, excluding Native allotment F-15627 Parcel A;
- Sec. 4, excluding Native allotments F-15705 Parcel A, F-15784 Parcel A, and F-15785 Parcel A;
- Sec. 9, excluding Native allotment F-15784 Parcel A;
- Sec. 10, excluding Native allotments F-029876 Parcel E, F-15627 Parcel A, F-15780 Parcel A, F-15786 Parcel A, and F-15841 Parcel A;
- Sec. 15, excluding Native allotments F-15706 Parcel A and F-15780 Parcel A;
- Sec. 16, excluding Native allotment F-15706 Parcel A;
- Sec. 17, excluding Native allotment F-15778 Parcel D;
- Sec. 18, excluding Native allotment litigation AA-51118 Parcel A;
- Secs. 19, 20, and 21;
- Sec. 22, excluding Native allotments F-15776 Parcels A and B and F-18686 Parcel B;
- Sec. 27, excluding Native allotment litigation AA-51118 Parcel B;
- Secs. 28 to 34, inclusive.

Containing approximately 12,263 acres.

T. 1 N., R. 74 W.

*Baird Inlet*

- Sec. 1, excluding Native allotments F-15627 Parcel B and F-15650 Parcel B;
- Sec. 5, excluding Native allotment F-17479 Parcel A;
- Secs. 6 and 7;

Interim Conveyance No.

**800**

Date

**FEB 29 1984**

F-14854-A

Sec. 11, excluding Native allotment F-15704 Parcel C;  
Sec. 12, excluding Native allotments F-15651 Parcel D,  
F-15780 Parcel D, and F-15813 Parcel B;  
Secs. 13, 14, and 15;  
Sec. 21, excluding Native allotment F-18321 Parcel B;  
Sec. 22;  
Sec. 23, excluding Native allotment F-15705 Parcel C;  
Secs. 24 and 25;  
Sec. 26, excluding Native allotments F-15675 Parcel C,  
F-15686 Parcel C, F-15780 Parcel C, and F-15841  
Parcel B;  
Sec. 27, excluding Native allotments F-15629 Parcel B,  
F-15675 Parcel C, F-18687 Parcel A, and Native  
allotment litigation AA-51118 Parcel C;  
Sec. 28, excluding Native allotment F-18687 Parcel A;  
Sec. 29, excluding Native allotment F-15627 Parcel C;  
Secs. 31 to 35, inclusive;  
Sec. 36, excluding Native allotment F-16202 Parcel D.

Containing approximately 13,467 acres.

T. 2 N., R. 74 W. *Block* *A1 B1*  
Secs. 1, 2, and 3;  
Secs. 11 and 12;  
Secs. 13 and 14, excluding Native allotment F-15782;  
Sec. 19;  
Sec. 20, excluding Native allotment F-15781 Parcel D;  
Sec. 21, excluding Native allotments F-15660 Parcel C  
and F-17479 Parcel B;  
Secs. 22 and 23;  
Sec. 24, excluding Native allotment F-15782;  
Sec. 25, excluding Native allotment F-15641 Parcel B;  
Sec. 26;  
Sec. 27, excluding Native allotment F-15842 Parcel A;  
Sec. 28, excluding Native allotment F-15660 Parcel A;  
Secs. 29, 30, and 31;  
Sec. 32, excluding Native allotment F-15781 Parcel A;  
Sec. 33, excluding Native allotment F-15660 Parcel A.

Containing approximately 11,450 acres.

Interim Conveyance No. 800

Date FEB 29 1984

T. 3 N., R. 74 W. *Band Inlet 151*  
Sec. 3, excluding Native allotment litigation AA-51116  
Parcel A;  
Sec. 10;  
Secs. 13, 14, and 15;  
Secs. 22 to 27, inclusive;  
Secs. 34, 35, and 36.

Containing approximately 8,630 acres.

T. 4 N., R. 74 W. *Band Inlet B1*  
Secs. 4, 9, and 16;  
Secs. 21, 28, and 33;  
Sec. 34, excluding Native allotment litigation AA-51116  
Parcel A.

Containing approximately 4,440 acres.

T. 1 N., R. 75 W. *Band Inlet A1, A2, B1, B2*  
Sec. 1;  
Sec. 2, excluding Native allotment litigation AA-51118  
Parcel D;  
Sec. 3;  
Sec. 4, excluding Native allotment F-15675 Parcel B;  
Secs. 5 and 8;  
Sec. 9, excluding Native allotment F-15675 Parcel B;  
Secs. 10 to 14, inclusive;  
Sec. 15, excluding Native allotment F-19113 Parcel A;  
Secs. 16, 17, and 21;  
Sec. 22, excluding Native allotments F-15781 Parcel B  
and F-15785 Parcel C;  
Sec. 28;  
Secs. 32 and 33 (fractional).

Containing approximately 6,865 acres.

T. 2 N., R. 75 W. *Band Inlet A1, A2, B1, B2*  
Secs. 15, 21, 22, and 23;  
Secs. 26, 27, 28, and 32;

Interim Conveyance No.

**800**

Date

**FEB 29 1984**

F-14854-A

Sec. 33, excluding Native allotment F-029874;  
Secs. 34, 35, and 36.

Containing approximately 6,235 acres.

Aggregating approximately 103,584 acres.

Excluded from the above-described lands herein conveyed are the submerged lands, up to the ordinary high water mark, beneath all water bodies determined by the Bureau of Land Management to be navigable because they have been or could be used in connection with travel, trade and commerce or are pending a tidal determination at the time of survey. Those water bodies are identified on the attached navigability maps, the original of which will be found in easement case file F-14854-EE.

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

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

1. All the easements and rights-of-way referenced in the aforementioned conveyance of the surface estate, and to valid existing rights, if any, in the said subsurface estate, including but not limited to those created by any lease (including a lease issued under Sec. 6(g) of the Alaska Statehood Act of July 7, 1958, 48 U.S.C. Ch. 2, Sec. 6(g)), contract, permit, right-of-way, or easement, and the right of the lessee, contractee, permittee, or grantee to the complete enjoyment of all rights, privileges, and benefits thereby granted to him;
2. Requirements of Sec. 14(f) of the Alaska Native Claims Settlement Act, 43 U.S.C. 1601, 1613(f), that the right to explore, develop, or remove minerals from the

Interim Conveyance No.

**800**

Date

FEB 29 1984

subsurface estate in the lands herein conveyed which are within the boundaries of the Native village shall be subject to the consent of the village corporation; and

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

IN WITNESS WHEREOF, the undersigned authorized officer of the Bureau of Land Management has, in the name of the United States, set her hand and caused the seal of the Bureau to be hereunto affixed on this 29th day of February, 1984, in Anchorage, Alaska.

UNITED STATES OF AMERICA

  
\_\_\_\_\_  
Chief, Branch of ANCSA  
Adjudication

Interim Conveyance No. \_\_\_\_\_

**800**

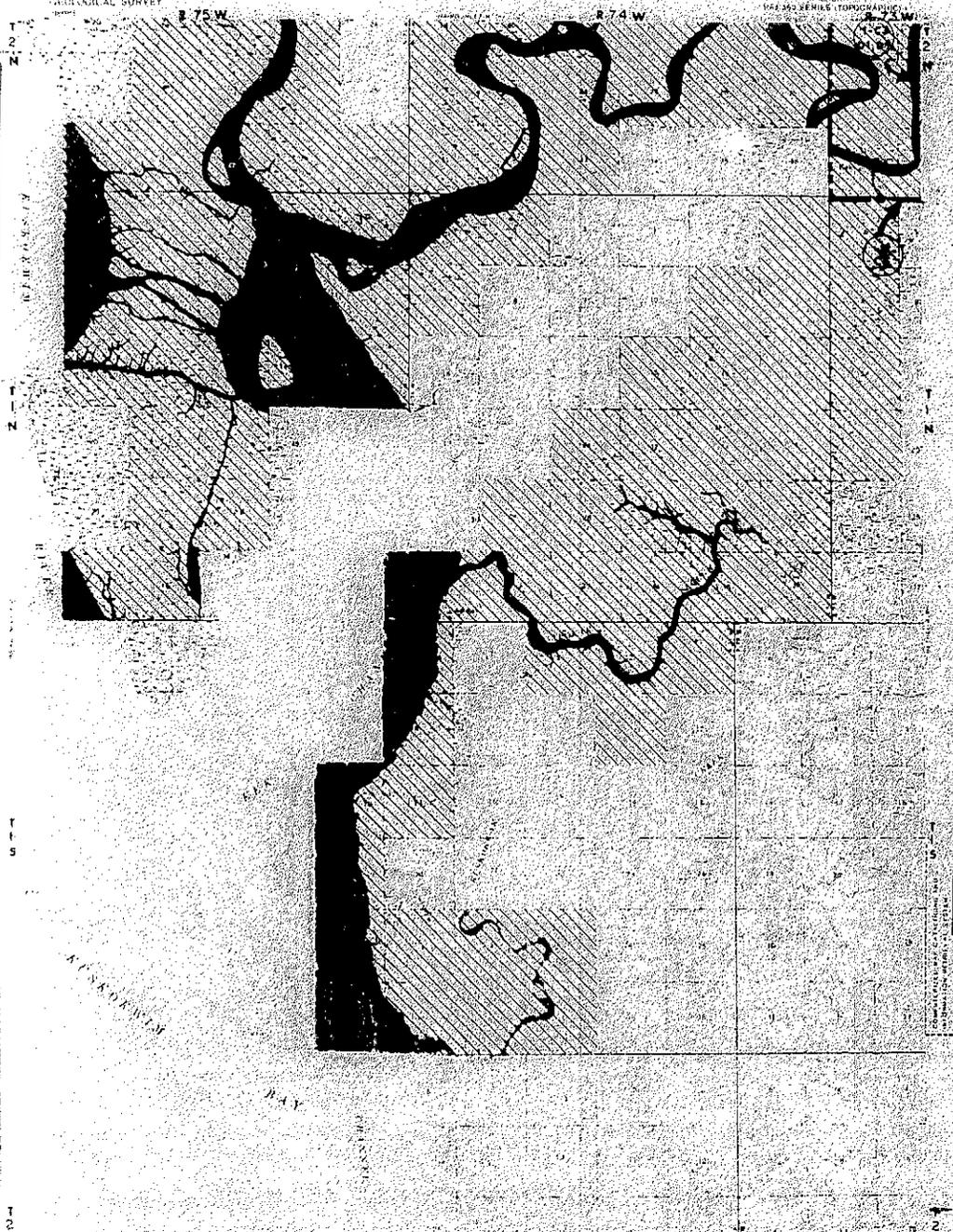
Date \_\_\_\_\_

FEB 29 1984

VILLAGE	NAVIGABILITY DECISION REVIEWED
6-7	DATE
5-77	INITIALS
5-77	DATE
5-77	INITIALS

REPRODUCTION OF THIS MAP IS PROHIBITED WITHOUT THE WRITTEN PERMISSION OF THE BUREAU OF LAND MANAGEMENT, U.S. DEPARTMENT OF THE INTERIOR.

Scale	1:50,000
Projection	UTM
Contour	100 FT



**EEK VILLAGE SELECTION**  
Application of Dec. 17, 1974

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

BAIRD INLET (A-1) ALASKA

Core Township

11-20-77

Baird Inlet A-1

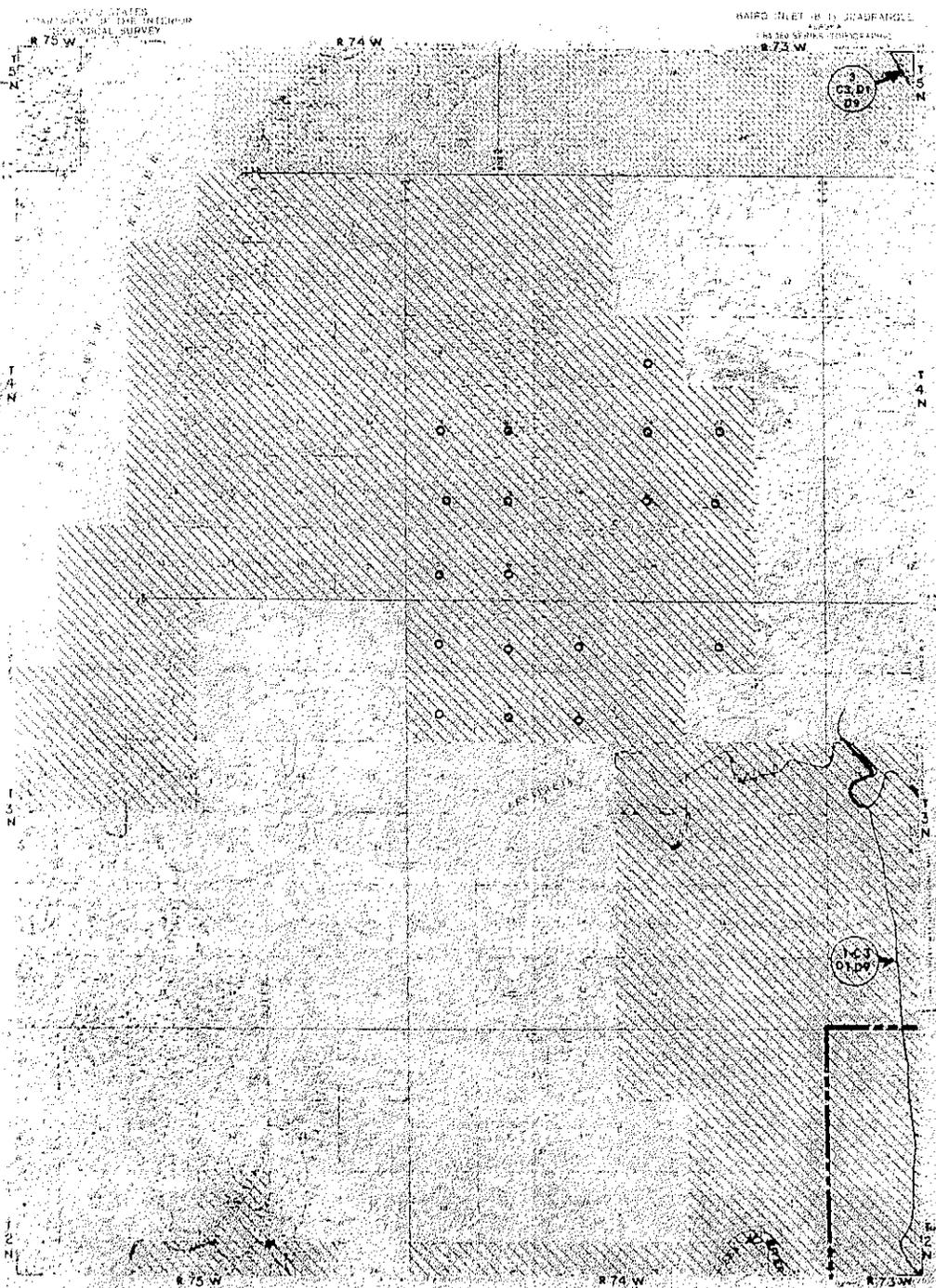
799

Alaska State Office	
Anchorage, Alaska	
DATE	FEB 29 1984
I hereby certify that this reproduction is a copy of the official record on file in this office.	
<i>Ann Johnson</i>	
AUTHORIZED SIGNATURE	

INDEPENDENT DECISION REVIEWED	
NAME	DATE
INITIALS	DATE
DATE	DATE

REPRODUCED FROM ORIGINAL SURVEY MAPS AND RECORDS OF THE ALASKA DEPARTMENT OF NATURAL RESOURCES. THIS REPRODUCTION IS FOR INFORMATIONAL PURPOSES ONLY AND DOES NOT CONSTITUTE A GUARANTEE OF ACCURACY.

ALASKA DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF LAND MANAGEMENT  
ANCHORAGE, ALASKA



**NAPAKIAK VILLAGE SELECTION**

**EEN VILLAGE SELECTION**

Application of D-46, 7/1/82  
 1. 360-acre section  
 2. Application for less than 640 acres shall be filed with the State of Alaska  
 3. Application for more than 640 acres shall be filed with the State of Alaska

0-0 year Selections

Essex tract B1

Visual 2/26/84

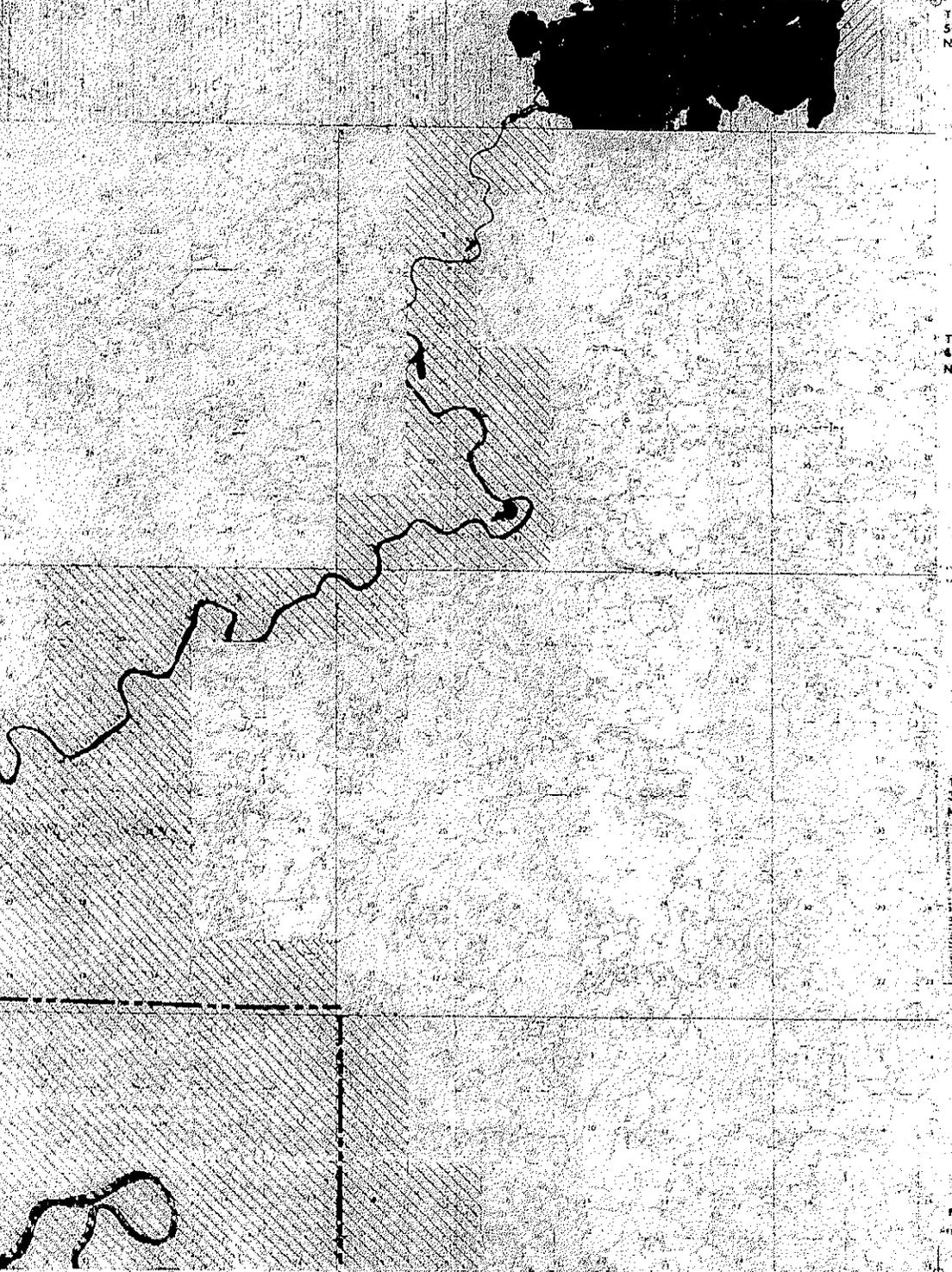
799

FEB 29 1984 Alaska State Office  
 Anchorage, Alaska  
 I hereby certify that this reproduction is a true and correct copy of the original record on file in this office.  
 [Signature]  
 ALASKA DEPARTMENT OF NATURAL RESOURCES

DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
R 72 W R 71 W R 70 W

MAILING	DATE	INITIALS
RECEIVED	5/17/73	5/8
DATE	5/17/73	5/8

Standardize, State of Alaska, Department of the Interior, Bureau of Land Management, Anchorage, Alaska



T 5 N

T 4 N

T 3 N

T 2 N

APPROVED	DATE	INITIALS

CMCIRS-251726  
BUREAU OF LAND MANAGEMENT  
DEPARTMENT OF THE INTERIOR  
ANCHORAGE, ALASKA

VILLAGE	DATE	INITIALS

- EEK VILLAGE SELECTION
- NAPAKIAK VILLAGE SELECTION
- NAPASKIAK VILLAGE SELECTION
- OSCARVILLE VILLAGE SELECTION
- Core township

Alaska State Office  
Anchorage, Alaska  
DATE  
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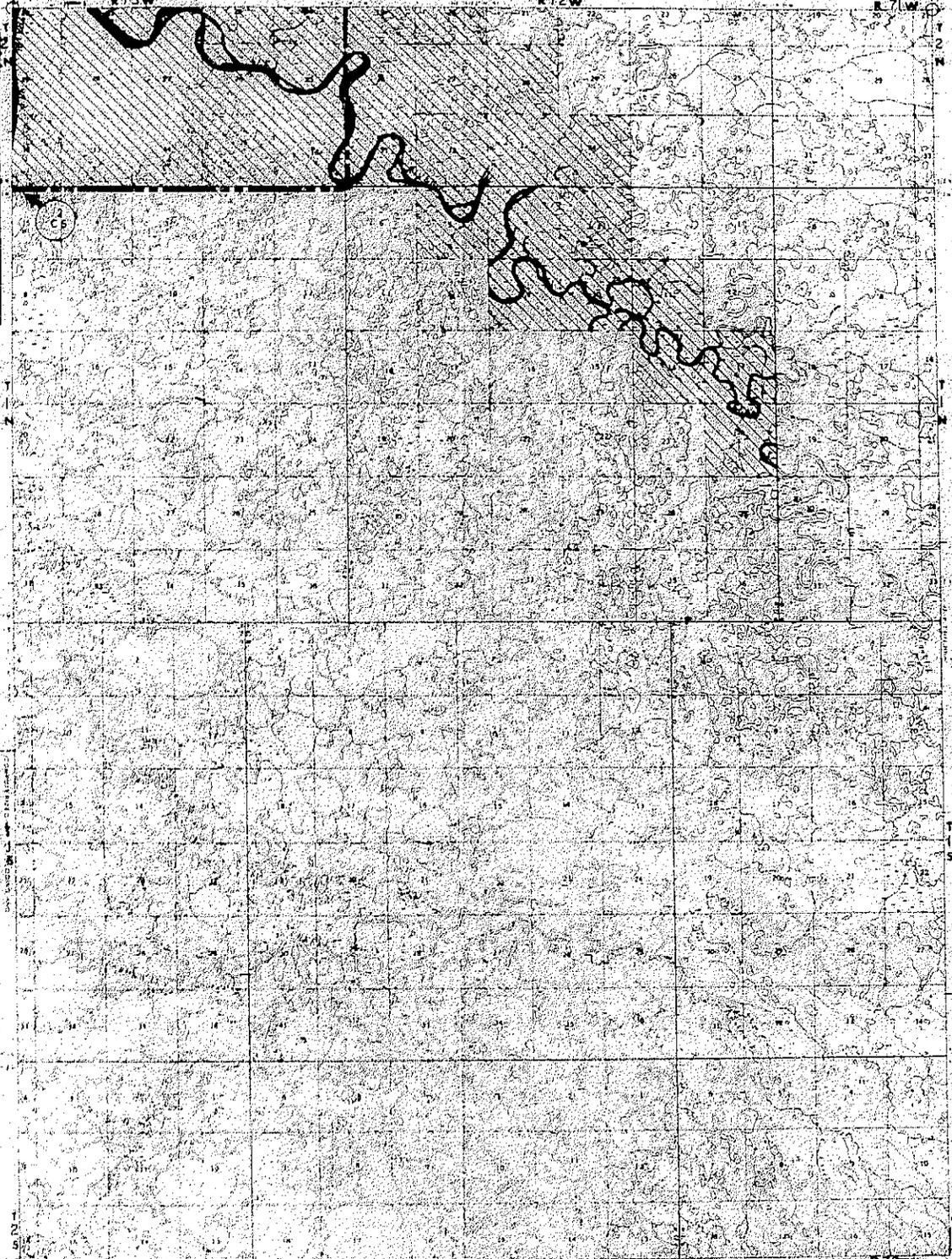
799

VILLAGE	NAVIGABILITY DECISION REVERSED	DATE	INITIALS
EEK		5-13	JCS
EEK		1-23-74	CMS

Numbered lands beneath which extended navigable channels or navigable rivers are shown are shown in this map. (See also the map of Alaska showing the navigable rivers and streams.)

**CMCIRS - BETHEL**  
Census of Municipalities and Census of Incorporated Areas and Census of Unincorporated Areas of Alaska

NAME	SECTION	TOWNSHIP	RANGE	STATE
EEK VILLAGE	10	10N	73W	ALASKA



**EEK VILLAGE SELECTION**  
Application of Dec. 17, 1974

Represents heads whole section  
Application may be less than 640 acres

Core Township

BETHEL (A-B) ALASKA  
Bethel  
11-26-77 AB

Alaska State Office  
FEB 23 1984  
Anchorage, Alaska  
DATE  
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**Kuskokwak Creek  
Interim Summary Report  
Attachment 3**

Baird Inlet-NA-FY 89-#5  
Bethel-NA-FY 89-#2  
Goodnews Bay-NA-FY 89-#2  
Kuskokwim Bay-NA-FY 89-#3  
(961)

✓ F-14885-EE

**FEB 21 1989**

Memorandum

To: Deputy State Director for Cadastral Survey (923)  
From: Deputy State Director for Conveyance Management (960)  
Subject: Navigable Waters on or along Small Tracts in Quinhagak (Window 1562)

This memorandum identifies navigable waters on or along certain small tracts in Group Survey Number 171 (Window 1562) which are to be surveyed in fiscal year 1989. These include navigable water bodies on small tracts located in conveyed (ICd or TAd) areas and navigable waters in or along small tracts located on Federal refuge or public lands (that is, land not selected under the Statehood Act or provisions of ANCSA other than those applying to historical and cemetery sites). The memo does not address water bodies along small tracts located in areas conveyed or selected under ANCSA or the Statehood Act. Also, only those cemetery and historic sites that the BIA has examined in the field are reviewed. Table 1 lists the navigable waters. For navigable waters on other lands selected and conveyed under ANCSA or the Statehood Act, see our memo dated March 29, 1988 for group survey 171 (window 1562).

Tidal water bodies, lakes fifty acres or more in size, and rivers averaging 198 feet or more in width are not described because, regardless of their navigability status, these water bodies are segregated on the survey plat. Warehouse Creek, Apokak Slough, the creek with its mouth in Sec. 35, T. 4 S., R. 74 W., SM (to and through AA-31287D in Sec. 35), and Oyak Creek to and through AA-31274D in Sec. 35, T. 4 S., R. 74 W., SM, are in this category.

The BLM's navigability determination criteria are described in a memorandum 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 the purposes of administering ANCSA"; the Alaska Native

Claim 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 judgement in State of Alaska v. United States of America, et al., Case No. A80-359 Civil (Gulkana River), April 16, 1987. In general, the BLM considers nontidal waterbodies navigable if, at the time of Statehood, they are navigable for crafts larger than a one-person kayak.

The principal sources of information about the land status, history, and character of water bodies in the report area comes primarily from USGS maps; Native Allotment casefiles; NASA aerial photographs; the BLM's Master Title Plats (MTP's); Arctic Environmental Information Data Center (AEIDC), "Historical Notes on Alaska Water Bodies" (microfiche, BLM, June 10, 1979); C. Michael Brown's "Alaska's Kuskokwim River Region: A History," (unpublished BLM manuscript, 1985); and other navigability reports and determination memos. Carl Neufelder of the Navigability Section, who spent portions of the 1983, 1984, and 1987 field seasons in Quinhagak examining Native allotments, and is familiar with the water bodies in the group survey, contributed information about the physical character and use of water bodies in the report area. In addition, Neufelder conducted interviews on Kuskokwak Creek with the following people:

<u>Name</u>	<u>Date</u>	<u>Telephone Number and Background</u>
Frank Brown	2/14/89	535-5211 Native allotment applicant, Eek
Dennis Stromm	2/14/89	543-3151 USF&WS, Yukon Delta NWR, Bethel
William Peake	2/14/89	862-0188 Subject Parcel Examiner, Realty Specialist, Anchorage

For a full account of the interviews, see Carl Neufelder to file F-17479 (2561), February 14, 1989.

### Kanektok River

The Kanektok River heads in Kagati Lake in the Ahklun Mountains and meanders westerly approximately seventy-five miles to Kuskokwim Bay. The first fifteen miles of the river (to and through T. 4 S., R. 72 W., SM) were excluded from conveyance in IC 342, issued June 25, 1980.

The Kanektok River is drawn on the USGS map as double-lined for its entire length. In many segments it is clearly more than three chains wide. The river meanders through the mountains, and about one-half way along its course breaks out into a broad floodplain and becomes more braided.

The Kanektok has a long history as a highway of travel. As early as 1898, a USGS expedition ascended the river to Kagati Lake in canoes. (Brown, pp. 86 and 87.) In 1973, the BLM conducted a study on the Kanektok River for possible inclusion in the Wild and Scenic River System. The BLM study team noted that the river is navigable to Kagati Lake during early summer and after heavy rains by small motorized riverboat; and by canoe or raft at all times. The river supports a commercial, sports and subsistence fishery. (AEIDC, p. 1463.) In July 1983, June 1984, and June 1987, Carl Neufelder, while inspecting Native allotments, observed relatively heavy boating activity from Quinhagak, at the river's mouth, to well above the report area.

I determine the Kanektok navigable in or along small tracts located on the river to and through T. 3 S., R. 66 W., SM. In the nineteenth century, the river may have been a segment in a Native travel route to the Bristol Bay region. Today, the river is a popular recreational boating stream. Commercial guides offer float trips down the river from Kagati Lake. All small tracts in or along the Kanektok River to tidewater are to be meandered and segregated from the river.

#### Kanektok River Tributary

This stream flows northwest about nine miles to empty into the Kanektok in Section 22, T. 4 S., R. 70 W., SM. (See USGS Goodnews D-7.) Native allotment AA-37779 in Secs. 22, 23, 26 straddles and Native allotment AA-31299-A in Sec. 26, T. 4 S., R. 70 W., SM, abuts the stream. The first two miles of the stream are double-lined on the USGS maps. It is one to two chains wide.

I determine this stream navigable to and through Native allotment AA-31299-A in Section 26, T. 4 S., R. 70 W., SM. In various low-level aerial photos taken in late July 1984, the clearwater stream flows in one channel between well-defined banks of willow and alder. At the mouth of the stream is a gravel bar that occupies about half of the channel. Nevertheless, there appears to be a deep channel along the bank. In several photos, the stream bottom is visible. From these photos, we estimate the water to be a foot or more in depth. This is certainly sufficient for canoe navigation. (See photos in Native allotment files AA-31299-A and AA-37779.)

#### Middle Fork Eek River

The Middle Fork Eek River flows northwest fifty miles to the Eek River at river mile 60. Near river mile 40, where it rounds the Great Ridge in the Eek Mountains, the river falls about thirteen feet per mile. Farther downstream, the gradient is lower. On the USGS Goodnews D-6 and Bethel A-6 and A-7 maps, the river is double-lined for most of its length. In the mountains the river flows in a single channel. In the foothills and lowlands, the river periodically splits into several channels. In this area the river makes many twists and turns as it approaches the Eek. According to one report, the Middle Fork at its mouth is as large as the Eek. However, the water did not appear to flow as fast. In the NASA aerial photo of the Great Ridge locale (CIR 60, Roll 3397, Frame 8131, August 1984), the river appears to be about eighty feet wide. Sandbars or gravel bars at river bends are visible. See NASA aerial photographs Roll 3397, Frame 8131, August 1984 (AA-31272-B); Roll 3112, Frame 518, August 1982, AA-55924-C; and Roll 3397, Frame 8049, August 1984 (AA-50582-D).

Small tracts are scattered along the river as far as the Great Ridge in T. 3 S., R. 69 W., SM. They are: Native allotments AA-31272-B located in Sec. 12, and AA-55930 in Secs. 1 and 2, T. 3 S., R. 69 W., SM; F-15686-A in Sec. 6, T. 2 S., R. 69 W., SM; AA-55924-C in Secs. 35 and 36, T. 1 S., R. 70 W., SM; AA-50582-D in Sec. 14, T. 1 S., R. 71 W., SM; and AA-55924-A in Sec. 34, T. 1 N., R. 71 W., SM.

There is very little evidence of boat travel on the upper reaches of this river. In 1984 Carl Neufelder and Sam Cleveland visited the latter's allotment in Sec. 12, T. 3 S., R. 69 W., SM, near the Great Ridge. Cleveland stated that since 1965 he has used the land for hunting purposes, and that he reached his claim by boat. (Neufelder, Land Report, March 21, 1985, AA-31272.) After reviewing photos in Cleveland's file, Neufelder recalled that the river was about two to three feet deep and certainly appeared to be suitable for raft or canoe navigation. He remembers seeing a few riffles. In 1987, another BLM employee inspected Evon Petluska's claim (AA-55930) in Secs. 1 and 2, T. 3 S., R. 69 W., SM, a short distance below Cleveland's claim. He noted that Petluska reached his claim by boat in the fall and by snowmobile in the winter. Four years earlier, Petluska noted that it took six or seven hours by boat to reach his claim. (Affidavit, July 2, 1983; Richard S. Stephenson, Land Report, September 2, 1987, AA-55930.)

I determine the Middle Fork Eek River navigable in or along small tracts located on the river to and through T. 3 S., R. 69 W., SM. Local residents with Native allotments reportedly boat the river to their land claims. Carl Neufelder, a BLM employee who observed the upper reaches of the river during an inspection of a Native allotment claim, believes that the river is suitable for canoe and raft navigation. This conclusion is supported by the aerial photos, which show no obstructions or impediments downriver of the stretch observed by Neufelder.

#### Eek River

Heading in Eek Lake, Eek River flows west 108 miles to Eek Channel, a branch of the Kuskokwim River. One Native allotment (AA-55924-A) is located on the south bank of the river in Sec. 35, T. 1 N., R. 71 W., SM, about a mile upstream of the mouth of the Middle Fork. (There are other small tracts on or along the river above this allotment. However, allotment AA-55924 is the only one identified at this time for survey in the 1989 season.) On the USGS Bethel A-7 map, this stretch of the river is shown as double-lined; it is about the same width as the Middle Fork. In the NASA aerial photograph (CIR 60, Roll 3397, Frame 8047, August 1984), the river significantly narrows to about 120 feet above the Middle Fork's mouth.

There are few reports on the navigability of this river. In the 1940s, the U.S. Bureau of Mines reported that a person could reach the Rainey Creek prospect in T. 2 S., R. 63 W., SM, by ascending the Eek River in a canoe or small poling boat at high water. Steven White of Eek stated that he used a boat to reach his claim on the river in Sec. 26, T. 1 N., R. 68 W., SM. James A. Charles of Tuntutuliak also stated that he used a boat to reach his claim in Secs. 21, 22, and 28, T. 1 N., R. 67 W., SM. He said too that boats could be taken to Eek Lake. (Brown, pp. 582 and 583, and Appendix, pp. 68 and 69.)

I determine Eek River navigable in or along small tracts located on the river to and through F-15812-C in T. 1 N., R. 67 W., SM. Local residents use small boats to reach hunting camps and land claims along the river.

### Ugaklik River (Qelutag River)

This river empties into the Eek River from the southeast at river mile 58. On the USGS Bethel A-7 and A-8 maps, the river is shown as a single line. The stream gradient is less than five feet per mile. In the aerial photos (CIR 60, Roll 3397, Frame 8047, August 1984), the river appears as a continuous dark thread of water about fifty to sixty feet wide -- narrower than the Middle Fork Eek River -- flowing through the tundra-covered lowlands. No impediments or obstructions in the river are visible.

The only land claim located along this river is a historical site (AA-10155) on the left bank of the river about a quarter-mile from the Eek River, in Sec. 3, T. 1 S., R. 72 W., SM. According to a Bureau of Indian Affairs' report, this is the site of a reindeer herder's corral and, possibly, an old Native camp. The report refers only to winter trips to the site. It also notes that the river is eroding the historical site.

In the BIA report there is a low-level color photograph of the river near the historical site. The river flows in one channel between moderately high banks. The clear water appears to be deep -- there are no rocks or bars breaking the water surface and the bottom is not visible.

I determine the Ugaklik River navigable to and through the historical site AA-10155 in Sec. 3, T. 1 S., R. 72 W., SM. The photograph of the river at this historical site clearly shows a river susceptible to canoe navigation at ordinary high water stages.

### Tungak Creek

This creek empties in Kuskokwim Bay about two miles north of Warehouse Creek, in Sec. 35, T. 2 S., R. 75 W., SM. It heads in a small lake in Sec. 19, T. 2 S., R. 73 W., SM. On the USGS Kuskokwim Bay D-1 and Goodnews Bay D-8 maps, the creek is double-lined for a distance of about six miles. The remainder of the creek is single-lined. The creek exhibits little or no gradient. In the NASA aerial photos (CIR 60, Roll 3397, Frames 8123 and 8124, August 1984), the creek is clearly visible to its head. The creek narrows to about seventy-five feet at the forks in the SE $\frac{1}{4}$ NE $\frac{1}{4}$  Sec. 30, T. 2 S., R. 74 W., SM. The tributary that empties into the creek at this point is as wide as the creek, and nearly maintains this width for a distance of two miles.

Nine Native allotments at least are located along this creek. These include Native allotments AA-37775-C located in Sec. 24; AA-37810-A in Secs. 22 and 23; AA-31276-A in Sec. 22; and AA-31288-B in Secs. 21 and 22, all located in T. 2 S., R. 74 W., SM.

All allotments area are claimed by Quinhagak residents for fishing and berry picking activities. These people reportedly use small boats to reach their claims. In July 1984 Carl Neufelder learned from Sam and Mary Cleveland that they reached the allotment on a small stream emptying into the lake source of Tungak Creek by boat and foot. (Neufelder, Land Report, February 5, 1985, AA-31271-A.) In the files of Carrie Cleveland (AA-31276-A), George Pleasant (AA-31288-B), Martha Mark (AA-37776-A), and Martha Oldfriend (AA-37775-A), there are statements made either by the claimants or the field examiners that the claimants reached their parcels by boat. Pictures of the creek in Sec. 28, T. 2 S., R. 74 W., SM. show a mud bottom and banks, indicating that the creek is tidal at least to this point.

I determine Tungak Creek navigable in or along small tracts located on the creek to and through Native allotment AA-37775-C in Sec. 24, T. 2 S., R. 74 W., SM. Local residents testified to the use of boats to reach their land claims along this creek.

#### Kuskokwak Creek

Heading in small lakes southwest of Ugaklik River, this creek flows northwest and thence southwest to Kuskokwim Bay. On the USGS Baird Inlet A-1 and Bethel A-8 maps, the creek is double-lined for forty-one miles. At mile 37, in Sec. 28, T. 1 S., R. 73 W., SM, the creek forks. Here, on the north bank of the creek, a historical and cemetery site (AA-10158) is located. In addition, Native allotment F-17479-C is located in Secs. 4 and 5, T. 2 S., R. 72 W., SM. All remaining small tracts below the historical site are on tidewater. The stream is almost certainly over three chains wide below this site. (See CIR 60, Roll 3112, Frame 513, August 1982.)

In 1986, a BIA team researched and inspected the historical site. According to Native informants, the historical site was occupied by two or three Native families during the fall and winter near the turn of the present century. The BIA team did not discuss specifically if and how people traveled to the site during the open season. The BIA team noted that Minnie Carter of Eek, then 86 or 87 years old, said that the creek "was getting more narrow and marshy." However, Frank Brown, the applicant on the uppermost small tract, said that he fishes there every summer. He indicated that last fall (1988), he took a twenty-foot river boat with a ninety-horsepower motor to his parcel. Mr. Brown further stated that the creek is about twenty to thirty feet wide and approximately six feet deep. Both Mr. Brown's Native allotment field report and the BIA report contain several low-level aerial photos of the creek. There is nothing in the photos to suggest that this stretch of the creek is not suitable for canoe and raft navigation.

I determine Kuskokwak Creek navigable in or along small tracts located on the creek to and through Native allotment F-17478-C in Secs. 4 and 5, T. 2 S., R. 72 W., SM. Aerial photographs, both low- and high-level, of the creek and an interview with Frank Brown support this finding. Brown travels to his allotment every year in a twenty-foot boat.

#### Other Water Bodies

All other rivers, streams, and sloughs less than 198 feet wide and lakes less than 50 acres in size on the subject small tracts are non-navigable. The same applies to all other water bodies along small tracts on Federal refuge or public lands. They are too small, steep, or shallow for practical navigation. Many of the lakes are not connected to navigable waterways.

*Wayne A. B. [Signature]*

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  
Anchorage, Alaska 99503

U.S. Fish and Wildlife Service  
Alaska Regional Office  
1011 E. Tudor Road  
Anchorage, Alaska 99503

√ 961:CNeufelder:lm:2-17-89:2301z

Table 1  
 Navigable Rivers and Streams Less Than 198 feet Wide  
 and Lakes less than 50 acres in size in or along  
 Small Tracts in Survey Window 1562 (Quinhagak), by Township

T. 3 S., R. 66 W.  
 Kanektok River.

T. 5 S., R. 68 W.  
 Kanektok River.

T. 2 S., R. 69 W.  
 Middle Fork Eek River.

T. 3 S., R. 69 W.  
 Middle Fork Eek River to and through AA-31272-B in Sec. 12.

T. 5 S., R. 69 W.  
 Kanektok River.

T. 1 S., R. 70 W.  
 Middle Fork Eek River.

T. 2 S., R. 70 W.  
 Middle Fork Eek River.

T. 4 S., R. 70 W.  
 Kanektok River; Kanektok River tributary (mouth in Sec. 26) to and through  
 Native allotment AA-31299-A in Sec. 26.

T. 6 S., R. 70 W.  
 None.

T. 1 S., R. 71 W.  
 Middle Fork Eek River.

T. 4 S., R. 71 W.  
 Kanektok River.

T. 8 S., R. 71 W.  
 None.

T. 1 S., R. 72 W.  
 Eek River; Middle Fork Eek River; Kuskokwak Creek; Ugalik River to and through  
 AA-10155.

T. 2 S., R. 72 W.

Kuskokwak Creek to and through Native allotment F-17478-C in Secs. 4 and 5.

T. 4 S., R. 72 W.

Kanektok River.

T. 5 S., R. 72 W.

None.

T. 6 S., R. 72 W.

None.

T. 7 S., R. 72 W.

None.

T. 1 S., R. 73 W.

Kuskokwak Creek.

T. 2 S., R. 73 W.

None.

T. 4 S., R. 73 W.

Kanektok River.

T. 5 S., R. 73 W.

Kanektok River.

T. 6 S., R. 73 W.

North Mouth Arolik River in Sec. 9.

T. 7 S., R. 73 W.

None.

T. 8 S., R. 73 W.

None.

T. 1 S., R. 74 W.

Kuskokwak Creek.

T. 2 S., R. 74 W.

Tungak Creek to and through AA-37775-C in Sec. 24.

T. 3 S., R. 74 W.

None.

T. 4 S., R. 74 W.

None.

T. 5 S., R. 74 W.

Kanektok River.

T. 6 S., R. 74 W.  
None.

T. 7 S., R. 74 W.  
None.

T. 1 S., R. 75 W.  
Kuskokwak Creek.

T. 2 S., R. 75 W.  
None.

T. 3 S., R. 75 W.  
None.

T. 1 N., R. 71 W.  
Eek River, Middle Fork Eek River.

T. 2 N., R. 74 W.  
Eek River.

✓ 2301z

**Kuskokwak Creek  
Interim Summary Report  
Attachment 4**

Bethel-GS-FY'89-#2  
(961)

**FEB 14 1989**

Memorandum

To: File F-17479

From: Land Law Examiner (961)

Subject: Interview Report for Navigability on Kuskokwak Creek Native Allotment F-17479-C

February 14, 1989

Frank Brown (536-5211), resident of Eek and applicant on the subject parcel was contacted. He stated that he fishes there every summer. As recently as last fall, 1988, he went up Kuskokwak Creek to his parcel in Secs. 4 and 5, T. 2 S., R. 72 W., Seward Meridian, with a twenty-foot river boat powered by a ninety horsepower motor. He said that the stream is twenty-thirty feet wide and six feet deep in the vicinity of his parcel.

Dennis Stromm (543-3151), USF&WS biologist in Bethel for the Yukon Delta National Wildlife Refuge was contacted. Stromm opined that Kuskokwak Creek would be navigable at least as far as Frank Brown's parcel. He stated that it is characteristic of streams in this area to be deep and narrow in the upper reaches. He stated that an eight-to ten-foot-wide stream is often eight feet deep. He also mentioned that tidal influence is commonly ten to fifteen miles.

William Peake (862-0188), formerly BLM, and now realty specialist for the Army at Fort Richardson, was contacted. Peake was the field examiner for the subject parcel. He couldn't specifically remember the stream and parcel location; however, he mentioned that if one of the uses was fishing, which it was, that he no doubt accessed the parcel by boat. As a general comment, he mentioned that natives in that vicinity took boats up streams that were longer than the stream was wide. Sometimes the biggest difficulty was turning the boat around.

*Carl E. Neufelder*

UNSURVEYED TOWNSHIP 1 SOUTH RANGE 75 WEST OF THE SEWARD MERIDIAN, ALASKA

PROTRACTION DIAGRAM NO. S20-3 OFFICIALLY FILED 1/27/1960

1 in  
R 75W S 74N

STATUS OF PUBLIC DOMAIN  
LAND AND MINERAL TITLES

MTP

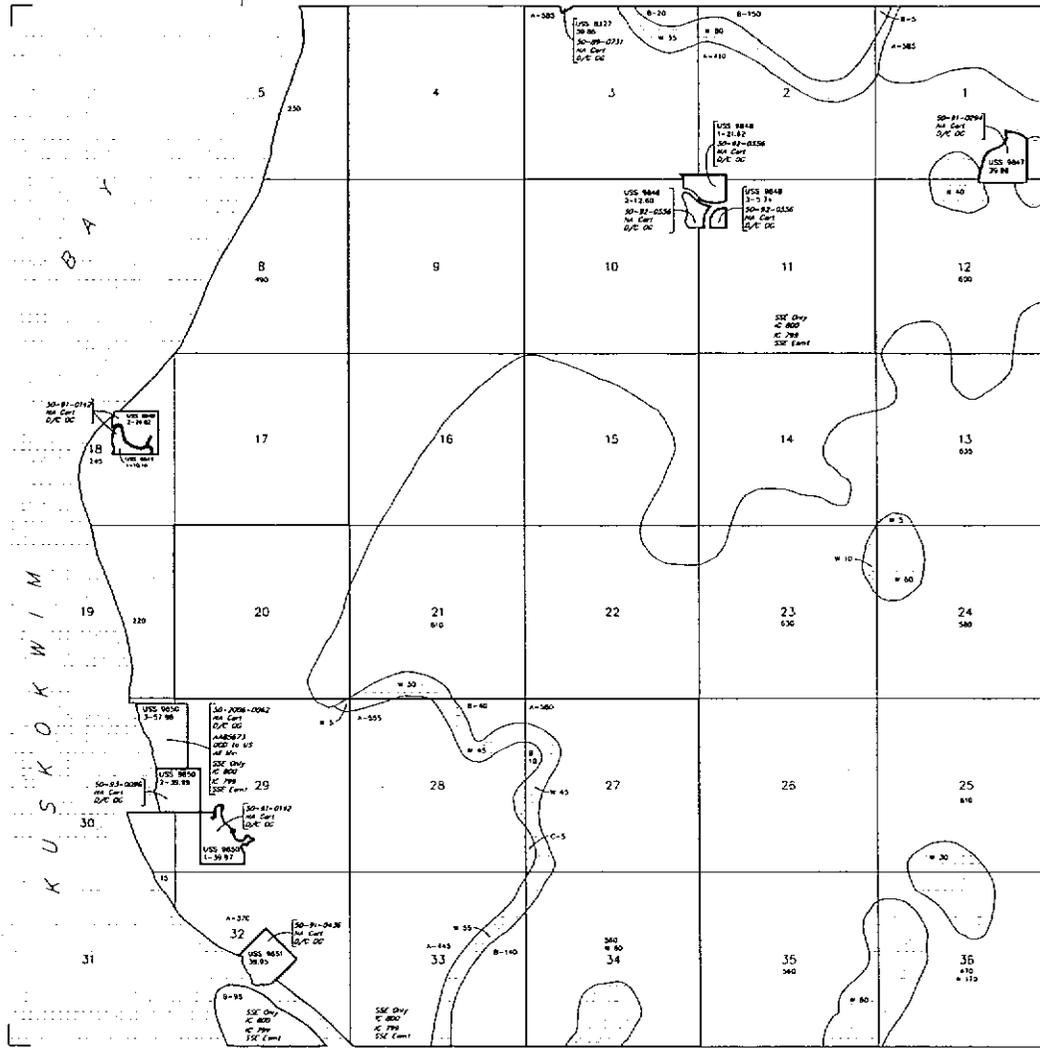
FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-IDENTIFIED LANDS REFER TO THE BUREAU OF LAND MANAGEMENT FOR CLASSIFICATION, MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

PLG 5104 AND CI affects Lds/Interests not conveyed

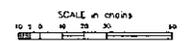
PL 96-487 AND Yukon Delta NMM entire Is.

714854-A2 W/SW Aqsh NAT's & Unpat Lds WA 714854-A

PL 92-203 AND 714854 Lds WA 714854-A2



**Kuskokwak Creek  
Interim Summary Report  
Attachment 5**



NOTICE: This plan is the Bureau's Record of Title, and should be used only as a graphic display of the Bureau's survey data. It does not constitute a deed or other instrument which has been recorded by the Bureau. It is subject to change without notice. Refer to the appropriate survey for official survey information.

Lat 66°22'24.648" N  
Long 152°04'40.817" W

CURRENT TO		Sew Mer
3-17-2006		T 1 S
		R 75 W

ACAD









**UNSURVEYED TOWNSHIP 2 SOUTH RANGE 72 WEST OF THE SEWARD MERIDIAN, ALASKA**  
 PROTRACTION DIAGRAM NO. S20-2 OFFICIALLY FILED 1/27/1960

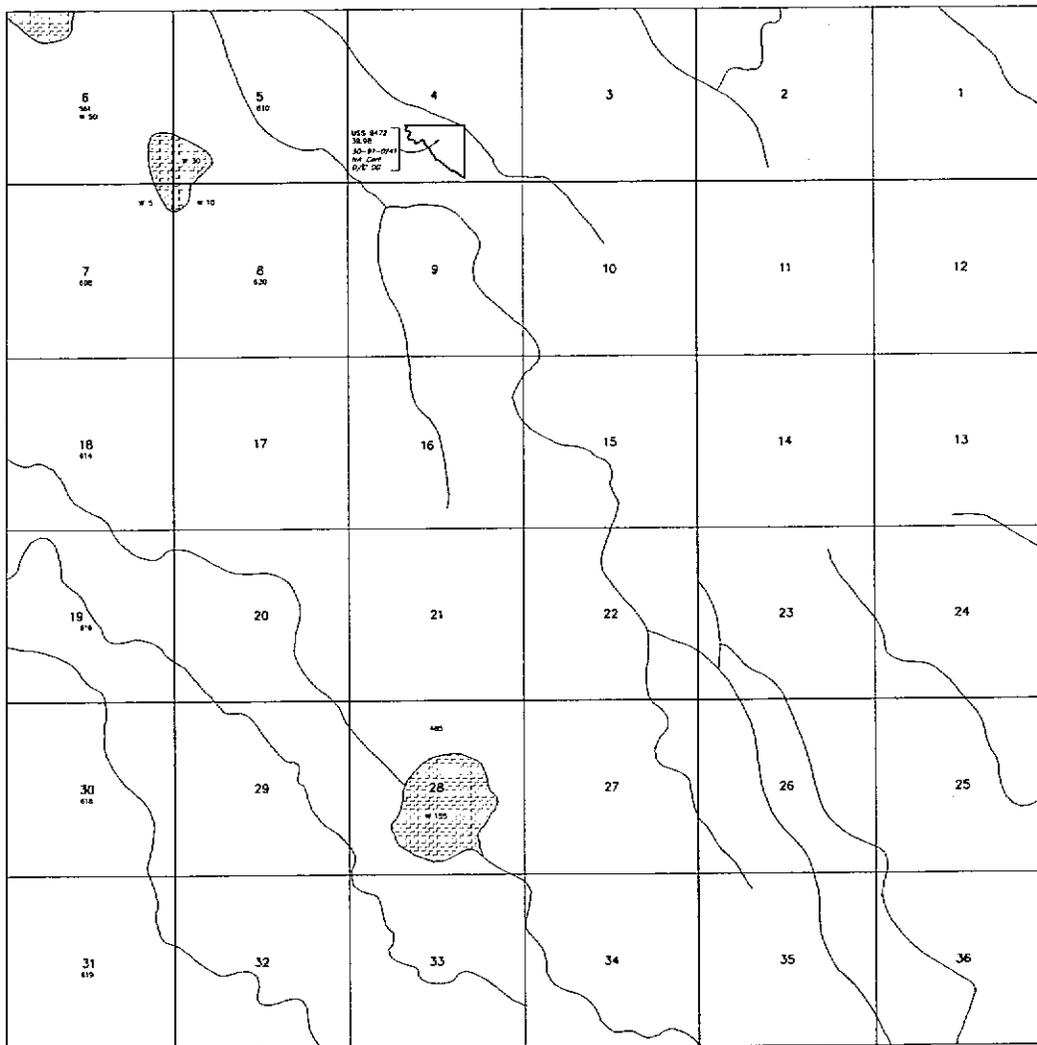
STATUS OF PUBLIC DOMAIN  
 LAND AND MINERAL TITLES

**MTP**

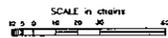
FOR OWNERS EFFECTING DISPOSAL OR USE OF UN-  
 IDENTIFIED LANDS WITHIN THIS TOWNSHIP FOR CLASSIFICATION  
 MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES  
 REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

PLD 5382 W/2 CL & V/2 W/2 Sec 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36  
 NOT CONVEYED

PL 56-187 W/2 Sec 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36  
 NOT CONVEYED



Lat 59°57'12.944\"N  
 Long 161°25'44.329\"W



NOTES:  
 This plat is the Surveyor's Record of Title, and should be used  
 and referred to in all legal proceedings. The plat is not  
 intended to be a substitute for a plat of the land, and  
 should be used in conjunction with the original survey  
 records. It is the duty of the owner to see that the  
 plat is correct and that the survey information is  
 correct.

CURRENT TO	Sec Mer
8-30-2007	T. 2 S.
	R. 72 W.

ACAD

U.S. SURVEY  
No. 9472, ALASKA

This plat contains the entire survey returned.

This survey was executed by Michael H. Schaefer, Registered Alaska Land Surveyor No. LS-5368, for Rose Consultants, Inc., June 11 through July 9, 1980, in accordance with the specifications set forth in the Manual of Surveying Instructions, 1973, Special Instructions dated April 22, 1980, approved August 4, 1980, Contract No. 1980-1-CR-140017 provided May 5, 1980, and Notice to Proceed dated May 30, 1980.

Field assistants were:

Linda C. Story  
Gary D. Koval  
Walter K. Rice  
Ronald H. Orndor  
Kenneth W. Ayers

Area: 39.96 acres.

The stream was measured from a solar observation and refers to the true meridian.

The approximate geographic position of the witness corner to corner No. 1, a meander corner, as located from U.S. Geological Survey quadrangle 740 "Bethel (A-B), Alaska", 1954 edition, is:

Latitude: 60° 01.5' North  
Longitude: 151° 39.5' West

The mean magnetic declination was taken from the National Oceanic and Atmospheric Administration Kadiak Sectional Aeronautical Chart effective March 2, 1980, and is a 1980 isogonic value.

This survey is situated on the right bank of Kuskoquim Creek, approximately 25 miles northwesterly of the city of Quinhagak, Alaska.

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

The land, which is 0 to 5 feet above ordinary high water, is railway land tenure, vegetated by native grass and berry plants with patches of scattered yellow brush along Kuskoquim Creek.

Perennial ice approximately 3 to 10 inches below the height of high water and part.

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(c) of the Alaska Statehood Act, P.L. 85-508, notwithstanding the use, location, or absence of meander lines to locate 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 the Bureau, is hereby accepted.

For the Director  
*Richard A. Anderson* 27 JULY 1980  
Date

Deputy State Director for Coastal Survey, Alaska

