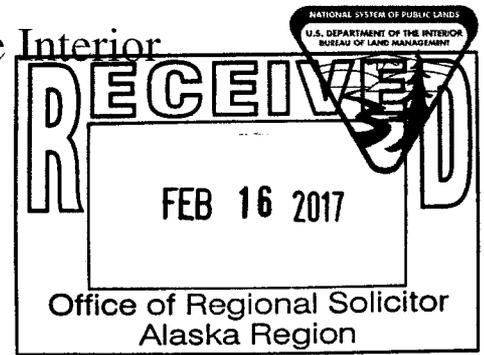




United States Department of the Interior

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



In Reply Refer To:

AA-6790 (2627)
(944) ccf/lga

FEB 16 2017

Memorandum

To: Office of the Regional Solicitor
ATTN: Ken Lord, Attorney-Advisor

From: Erika Reed, Deputy State Director, Division of Lands and Cadastral (940)

Subject: Status of Lands in T. 15 N., R. 5 E., Seward Meridian

This memorandum responds to your request for clarification of the land status in T. 15 N., R. 5 E., Seward Meridian.

The State of Alaska filed general purposes grant selection application AA-6790 on January 24, 1972, for all available lands in T. 15 N., R. 5 E., Seward Meridian. The application was found to be proper and the entire township was tentatively approved on May 4, 1989, excluding those lands withdrawn by Public Land Order (PLO) No. 3324 (the old Lake George Recreation Area).

The tentative approval transferred all right, title, and interest of the United States to the State of Alaska in the uplands east of the right bank of the Knik River, and to the uplands west of the western boundary of PLO No. 3324.

Ownership of the submerged lands beneath the Knik River in this township is governed by the provisions of Sec. 901 of the Alaska National Interest Lands Conservation Act of December 2, 1980 (ANILCA), as amended by Sec. 101(b)(1) of the Submerged Lands Act of August 16, 1988, 43 U.S.C. § 1631.

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Section 901 of ANILCA, as amended by Sec. 101(b)(1) of the Submerged Lands Act provides that:

Whenever, either before or after the date of enactment of this section, the Secretary conveys land to . . . the State pursuant to . . . the Alaska Statehood Act, or this Act which abuts or surrounds a meanderable lake, river, or stream, all right, title, and interest of the United States, if any, in the land under such lake, river, or stream lying between the uplands and the median line or midpoint, as the case may be, shall vest in . . . the State.

The Knik River was determined to be nonnavigable in this township and, though the township is unsurveyed, the river appears to be of meanderable size (3 chains (198 feet) wide or wider).

With respect to that portion of the Knik River lying between the State-owned uplands and the old Lake George Recreation Area in protracted Secs. 6, 7, 8, 17, 20, 21, 28, 29, and 33, ownership of the submerged lands in the easterly half of the riverbed vested in the State as of the date of tentative approval.

On October 25, 1990, PLO 6805 revoked PLO 3324 in part (that portion of the withdrawal lying in T. 16 N., R. 3 E., Seward Meridian, remains in effect) and opened the lands to selection by the State of Alaska. The State top-filed the township on August 17, 1981; pursuant to PLO 6805, the top-filing became an effective selection on October 25, 1990, the date PLO 6805 was published in the *Federal Register*.

Cook Inlet Region, Inc., also selected the old Lake George Recreation Area under Sec. 12(c) of the Alaska Native Claims Settlement Act. As of the date of this memo, neither application has been adjudicated, and the lands within former PLO 3324 and the submerged lands in the westerly half of the riverbed remain in federal ownership.

A current status plat and copies of the PLOs are attached for your ready reference.

Attachments
Status plat
Cy PLOs

Federal Register DataPublished: 2/13/64
No. : 31Volume: 29
Page: 2423PLO No. 3324
Part Affected: A-043400
Date Signed: 2/07/64

ALASKA

NOTICE OF PROPOSED WITHDRAWAL AND
RESERVATION OF LANDS

The Alaska Department of Lands has filed an application, Serial Number A-043400 for the withdrawal of the lands described below, from all forms of appropriation under the public land laws including the mining but excepting the mineral leasing laws and the disposal of materials under the Materials Act. The applicant desires the land for a Public Recreation Site.

For a period of 60 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior Box 480, Anchorage, Alaska.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

Beginning at Point No. 1, common with M. C. Corner No. 4, U. S. Survey No. 3290, Tract B, thence South 7 chains to Corner No. 3, U. S. Survey No. 3290, Tract B, thence continuing South 13 chains to Point No. 2, thence southeasterly parallel with the South Bank of the Knik River (a strip $\frac{1}{4}$ mile wide) approximately 15 miles to a point opposite foot of Knik Glacier; thence continuing in a southerly direction paralleling the river drainage from Lake George (continuing a strip $\frac{1}{4}$ mile wide) approximately 7 miles to a point opposite outlet of Lake George; thence continuing southwesterly paralleling west side of Lake George (continuing a strip $\frac{1}{4}$ mile wide) approximately 8 miles to southwest inlet of Lake George. The area contains approximately 4,800 acres.

L. T. MAIN,
Operations Supervisor,
Anchorage.

[F. R. Doc. 58-4659; Filed, June 18, 1958;
8:51 a. m.]

Published 6/19/58
Vol. 23 No. 120
Page 4435

Title 43—PUBLIC LANDS:
INTERIORChapter I—Bureau of Land Management,
Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 3324]

[Anchorage 043400]

ALASKA

Withdrawing Lands Under Jurisdiction of Bureau of Land Management for Protection of Public Recreation Values

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to existing valid rights, the following-described public lands are hereby withdrawn under jurisdiction of the Bureau of Land Management, from all forms of appropriation under the public land laws, including the mining laws, but not the mineral leasing laws, and reserved for use as public recreation areas and for preservation of public recreation values:

LAKE GEORGE AREA

Beginning at Point No. 1, common with M.C. Corner No. 4, U.S. Survey No. 3290, Tract B, thence South 7 chains to Corner No. 3, U.S. Survey No. 3290, Tract B, thence continuing South 13 chains to Point No. 2, the point of beginning; thence:

Southeasterly 15 miles, approximately, parallel with the South Bank of the Knik River (a strip $\frac{1}{4}$ mile wide) to a point opposite foot of Knik Glacier;

Southerly 7 miles, approximately, continuing in a southerly direction paralleling the river drainage from Lake George (continuing a strip $\frac{1}{4}$ mile wide) to a point opposite outlet of Lake George;

Southwesterly 8 miles, approximately, paralleling west side of Lake George (continuing a strip $\frac{1}{4}$ mile wide) to southwest inlet of Lake George.

Containing approximately 4,800 acres.

JOHN A. CARVER, JR.,
Assistant Secretary
of the Interior.

FEBRUARY 7, 1964.

[F.R. Doc. 64-1408; Filed, Feb. 12, 1964;
8:45 a.m.]

Ex. 5

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Federal Register DataPublished: 10/25/90
No. : 207Volume: 55
Page: 42958 & 42959PLO No. 6805
Part Affected: A-043400
Effective Date: 10/25/90**DEPARTMENT OF THE INTERIOR
Bureau of Land Management**

43 CFR Public Land Order 6805

[AK-932-00-4214-10; A-043400]

**Partial Revocation of Public Land
Order No. 3324 for Selection of Land
by the State of Alaska; Alaska****AGENCY:** Bureau of Land Management,
Interior.**ACTION:** Public land order.

SUMMARY: This order revokes a public land order insofar as it affects 3,850 acres of public land withdrawn for recreation purposes at Lake George, Alaska. The land is no longer needed for the purpose for which it was withdrawn. This action also opens the land for selection by the State of Alaska, if such land is otherwise available. Any land described herein that is not conveyed to the State will be subject to the terms and conditions of withdrawals of record.

EFFECTIVE DATE: October 25, 1990.

FOR FURTHER INFORMATION CONTACT:
Sandra C. Thomas, BLM Alaska State
Office, 222 W. 7th Avenue, No. 13,
Anchorage, Alaska 99513-7599, 907-271-
5477.

By virtue of the authority vested in the Secretary of the Interior by section 204 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714 (1988), and by section 17(d)(1) of the Alaska Native Claims Settlement Act, 43 U.S.C. 1616(d)(1) (1988), it is ordered as follows:

1. Public Land Order No. 3324 which withdrew public land for a recreation area at Lake George is hereby revoked insofar as it affects the following described land:

Seward Meridian

Beginning at Point No. 1, common with M.C. corner No. 4, U.S. Survey No. 3290, Tract B, Thence south 7 chains to corner No. 3, U.S. Survey No. 3290, Tract B;
Thence continuing south 13 chains to Point No. 2, the point of beginning;
Thence southeasterly 15 miles, approximately, parallel with the south bank of the Knik River (a strip ¼ mile wide) to a point opposite foot of Knik Glacier;

Thence southerly 7 miles, approximately, continuing in a southerly direction paralleling the river drainage from Lake George (continuing a strip ¼ mile wide) to a point opposite outlet of Lake George;
Thence southwesterly 8 miles, approximately, paralleling west side of Lake George (continuing a strip ¼ mile wide) to southwest inlet of Lake George;
Excluding therefrom a tract of land described as:

Beginning at corner No. 1, common with meander corner No. 4, U.S. Survey No. 3290, Tract B and the true point of beginning for this description;

From Corner No. 1, by metes and bounds, Thence south 7 chains to corner No. 3, U.S. Survey No. 3290, Tract B and continuing South 13 chains to corner No. 2;

Thence southeasterly on a line approximately 20 chains south of and parallel to the left bank of the Knik River, approximately 501 chains to corner No. 3 located on the east boundary of T. 16 N., R. 3 E., Seward Meridian;

Thence north on the east boundary of T. 16 N., R. 3 E., Seward Meridian,

approximately 20 chains to corner No. 4, a meander corner at the line of mean high water on the left bank of the Knik River; Thence northwesterly along the line of mean high water on the left bank of the Knik River approximately 501 chains to corner No. 1, the point of beginning.

The area described contains approximately 3,850 acres.

2. Subject to valid existing rights, the land described above is hereby opened to selection by the State of Alaska under either the Alaska Statehood Act of July 7, 1958, 48 U.S.C. prec. 21 (1988), or section 906(b) of the Alaska National Interest Lands Conservation Act, 43 U.S.C. 1635(b) (1988).

3. The State of Alaska selections made under section 906(e) of the Alaska National Interest Lands Conservation Act, 43 U.S.C. 1635(e) (1988), become effective without further action by the State upon publication of this public land order in the Federal Register, if such land is otherwise available. Land not conveyed to the State will be subject to the terms and conditions of withdrawals of record.

Dated: October 15, 1990.

Dave O'Neal,

Assistant Secretary of the Interior.

[FR Doc. 90-25238 Filed 10-24-90; 8:45 am]

BILLING CODE 4310-JA-M

Ex. 5

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