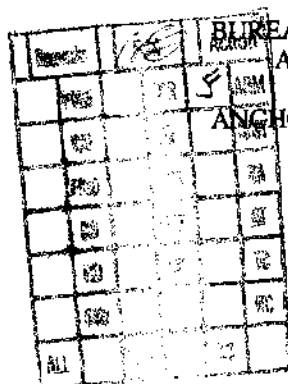




United States Department of the Interior



BUREAU OF LAND MANAGEMENT
ALASKA STATE OFFICE
222 W. 7th Avenue, #13
ANCHORAGE, ALASKA 99513-7599

AA-16669 (2652)
AA-44897 (2652)
(968) LB/CF

FISH & WILDLIFE SERVICE
Soldotna, Alaska
KENAI PENINSULA

APR 11 1992

APR 28 1992

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

RECEIVED
DEPARTMENT OF INTERIOR

NOTICE

Cook Inlet Region, Inc. : AA-16669, AA-44897
Attn: Land Department : Regional Selections
P.O. Box 93330 :
Anchorage, Alaska 99509-3330 :

Intent to Issue Patent

On April 11, 1979, November 9, 1979; and April 13, 1984, respectively, Interim Conveyance (IC) Nos. 176, 257, and 820 were issued to Cook Inlet Region, Inc. (CIRI) for the subsurface estate of the coal, oil, and gas of approximately 81,654 acres of land. The estate was conveyed pursuant to Secs. 14(e) and 22(j) of the Alaska Native Claims Settlement Act of December 18, 1971 (ANCSA), 43 U.S.C. 1601, 1613(e), 1621(j), Sec. 12(b)(2) of the Act of January 2, 1976, 43 U.S.C. 1601, 1611 n, and Par. I.B.(1) of the Terms and Conditions for Land Consolidation and Management in the Cook Inlet Area, as clarified August 31, 1976 (T&C).

Additionally, IC No. 459 was issued to CIRI on December 4, 1981, for the coal, oil, and gas estate of approximately 120 acres of land within T. 8 N., R. 9 W., and T. 7 N., R. 10 W., Seward Meridian, among others. This estate was conveyed pursuant to Secs. 14(f) and 22(j) of ANCSA, 43 U.S.C. 1601, 1613(f), 1621(j), Sec. 12(b)(2) of the Act of January 2, 1976, 43 U.S.C. 1601, 1611 n, and Par. I.B.(2) of the T&C.

Section 22(j) of ANCSA, as amended, provides for the conveyance of unsurveyed lands, and further provides that after survey of the lands so conveyed, a patent shall be issued confirming the boundaries thereof.

The lands described in IC Nos. 176, 257, 820, and 459 have been surveyed. This is notification that the Bureau of Land Management intends to issue a patent confirming the boundary of these lands, as described in the enclosed draft patent. The draft patent includes all the lands described in IC Nos. 176, 257, and 820. The draft patent includes only a portion of those lands described in IC No. 459; the remaining lands described in IC No. 459 will be addressed in separate

documents. Submerged lands described in IC No. 176 have been excluded from the draft patent. The acreage figure charged against CIRIs entitlement has been adjusted.

The lands are described somewhat differently in the draft patent than they were in the interim conveyances in order to address all legal subdivisions as shown on the plats of survey.

The patent, when issued, will reflect any rights, terms, conditions, and covenants pertaining to the lands as described in IC Nos. 176, 257, 820, and 459. There are no easements to be reserved in the patent. Navigability determinations made prior to the issuance of the interim conveyances remain unchanged.

Prior to survey, the lands described in the draft patent were estimated to total 81,774.42 acres. The surveyed description of the lands totals 79,165.31 acres. Acreage changes specific to each IC are listed below.

<u>IC No.</u>	<u>Pre-Survey Acreage</u>	<u>Post-Survey Acreage</u>
176	66,269.42	63,853.43
257	15,185.00	14,991.88
459	120.00	120.00
820	200.00	200.00

Copies of the draft patent, survey plats, and master title plats are enclosed with this notice. Careful review should be made of the enclosures to confirm that the lands, as surveyed, correctly describe those interests granted by IC Nos. 176, 257, 820, and 459.

Any comments should be made, in writing, to:

Bureau of Land Management
Branch of Cook Inlet and Ahtna Adjudication (968)
222 West Seventh Avenue, #13
Anchorage, Alaska 99513-7599

Comments should be received in this office within 60 days of receipt of this notice. If comments are not received in this office within the 60-day timeframe, the survey plats and draft patent will be considered correct and a final patent will be issued.

/s/ Christy Favorite

Lead Land Law Examiner
Branch of Cook Inlet and
Ahtna Adjudication

Enclosures:
Draft patent
Survey plats
Master title plats

cc:

State of Alaska (CM-RRR)
Department of Natural Resources
Division of Land
State Interest Determinations Unit
P.O. Box 107005
Anchorage, Alaska 99510-7005
(w/MTPs)

U.S. Fish and Wildlife Service
Division of Realty
1011 East Tudor Road
Anchorage, Alaska 99503
(w/MTPs)

Mr. Daniel W. Doshier, Refuge Manager
Kenai National Wildlife Refuge
2139 Ski Hill Road
Soldotna, Alaska 99669
(w/MTPs)

Mr. John Rogers
M5977
U.S. Geological Survey
345 Middlefield Road
Menlo Park, California 94025
(w/MTPs)

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WHEREAS

Cook Inlet Region, Inc.

is entitled to a patent pursuant to Secs. 14(e) and 14(f) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. 1601, 1613(e), 1613(f), Sec. 12(b)(2) of the Act of January 2, 1976, 43 U.S.C. 1611 n, and Pars. I.B.(1) and I.B.(2) of the Terms and Conditions for Land Consolidation and Management in the Cook Inlet Area, as clarified August 31, 1976, for the subsurface estate of the coal, oil, and gas in the following-described lands, title to which was vested by Interim Conveyance (IC) No. 176 of April 11, 1979; IC No. 257 of November 9, 1979; IC No. 459 of December 4, 1981; and IC No. 820 of April 13, 1984:

Seward Meridian, Alaska

T. 10 N., R. 7 W.,
Secs. 19, 20, and 21;
Sec. 28, lot 1;
Secs. 29 to 32, inclusive.

Containing 4,768.67 acres, as shown on plat of survey officially filed January 17, 1992.

T. 7 N., R. 9 W.,
Sec. 3, lot 1;
Sec. 5, lot 2;
Secs. 6 and 7;
Sec. 8, lot 2;
Sec. 10, lot 1;
Sec. 14, lot 2;
Sec. 15;
Sec. 16, lot 2;
Sec. 17, lot 2;
Secs. 18, 19, and 20;
Sec. 21, lots 1 to 4, inclusive;
Secs. 22 to 26, inclusive;

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Sec. 27, lots 1, 2, and 3;
Secs. 28 to 36, inclusive.

Containing 15,821.39 acres, as shown on plat of survey officially filed
January 17, 1992.

T. 8 N., R. 9 W.,
Secs. 1 to 8, inclusive;
Sec. 9, lot 1;
Sec. 10, lot 1;
Secs. 11 to 14, inclusive;
Sec. 16, W $\frac{1}{2}$;
Secs. 17, 18, and 19;
Sec. 20, lots 1 and 2;
Sec. 21, lot 2;
Sec. 22, lot 1;
Secs. 23 to 26, inclusive;
Sec. 27, lot 2;
Sec. 28, lot 2;
Secs. 29, 30, and 31;
Sec. 32, lot 1;
Sec. 33, lot 2;
Sec. 34, lot 1;
Secs. 35 and 36.

Containing 17,910.65 acres, as shown on plat of survey officially filed January
17, 1992.

T. 6 N., R. 10 W.,
Sec. 1;
Sec. 2, E $\frac{1}{2}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$;
Sec. 5, lot 2;
Secs. 6, 7, and 8;

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Sec. 9, lot 2;
Sec. 12;
Secs. 16, 17, 20, and 21.

Containing 7,402.24 acres, as shown on plat of survey officially filed January 17, 1992.

T. 7 N., R. 10 W.,
Secs. 1 to 5, inclusive;
Secs. 7 to 14, inclusive;
Sec. 15, lots 1 to 6, inclusive;
Secs. 16, 17, and 18;
Sec. 19, lots 1 and 2;
Secs. 20 to 25, inclusive;
Sec. 26, lots 1 to 6, inclusive, and lots 8 and 9;
Sec. 27, lot 1;
Sec. 28, lot 1;
Secs. 29, 30, and 31;
Sec. 32, lot 1;
Sec. 35, lots 1 and 2;
Sec. 36.

Containing 18,366.48 acres, as shown on plat of survey officially filed January 17, 1992.

T. 8 N., R. 10 W.,
Secs. 12, 13, and 14;
Secs. 23, 24, and 25;
Sec. 26, lots 1 and 2;
Secs. 32, 33, and 34;
Sec. 35, lots 1 and 2;
Sec. 36.

Containing 7,474.08 acres, as shown on plat of survey officially filed January 17, 1992.

T. 6 N., R. 11 W.,
Sec. 1, lots 1 to 4, inclusive, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$;

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Sec. 2, lots 1 to 4, inclusive, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$;
Secs. 11 to 14, inclusive.

Containing 3,838.98 acres, as shown on plats of survey officially filed December 11, 1985, and January 17, 1992.

T. 7 N., R. 11 W.,
Sec. 23, lots 1 and 2, N $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
Secs. 24 and 25;
Sec. 26, lots 1 to 8, inclusive, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$,
N $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 35, lots 1 to 10, inclusive, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 36, lots 1 to 4, inclusive, E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$;

Containing 3,581.81 acres, as shown on plats of survey officially filed December 11, 1985, and January 17, 1992.

Aggregating 79,164.30 acres.

NOW KNOW YE, that the UNITED STATES OF AMERICA, in consideration of the premises, and in conformity with Sec. 22(j) of the said Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. 1601, 1621(j), and as evidence of the title which was granted to and vested in the above-named corporation to the above-described estate as aforesaid, and in confirmation of such title, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT, unto the said corporation, and to its successors and assigns, the subsurface estate of the coal, oil, and gas in the lands above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said corporation, and to its successors and assigns forever.

EXCEPTING AND RESERVING TO THE UNITED STATES from the estate so granted, all other minerals including but not limited to common varieties of minerals.

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

1. 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;
2. Requirements of Sec. 22(g) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. 1601, 1621(g), that the portion of the above-described lands, which were withdrawn by Executive Order 8979 of December 16, 1941, as amended by Public Land Order No. 3400 on May 22, 1964, and are now part of the Kenai National Wildlife Refuge (formerly Kenai National Moose Range), remain subject to the laws and regulations governing use and development of such refuge so long as they remain a part of such refuge;
3. The provisions of Par. I.B.(1) of the Terms and Conditions for Land Consolidation and Management in the Cook Inlet Area, namely the covenants that:

The right to extract coal shall be conditioned upon the opening by the Secretary for the extraction of coal of that portion of the refuge in which these lands are located, and provided further, that coal shall only be extracted in a liquid or gaseous state; all activities related to the extraction of oil, gas, and coal which affect the surface of the Kenai National Wildlife Refuge shall be conducted in accordance with a surface use plan approved by the Secretary. Such extraction shall be undertaken in accordance with the most advanced technology commercially available at that time and causing the least practicable temporary and permanent harm to the fish and wildlife habitats of the refuge; and any surface damage

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caused by the exercise of the rights herein must be repaired or reclaimed by Cook Inlet Region, Inc., its successors and assigns, as rapidly as practicable without unreasonable interference with the rights of extraction; and

4. The terms of the following oil and gas leases:

<u>Serial Number</u>	<u>Legal Description</u> <u>Seward Meridian, Alaska</u>
A-028077	T. 8 N., R. 9 W.;
A-028078	T. 6 N., R. 10 W.;
A-028083	T. 7 N., R. 10 W.;
A-028118	T. 6 N., R. 10 W.;
A-028120	T. 7 N., R. 10 W.;
A-028384	T. 8 N., R. 9 W.;
A-028396	T. 7 N., R. 9 W.;
	T. 8 N., R. 9 W.;
A-028399	T. 8 N., R. 9 W.;
A-028405	T. 8 N., R. 9 W.;
A-028406	T. 8 N., R. 9 W.;
A-028990	T. 8 N., R. 9 W.;
A-028993	T. 7 N., R. 9 W.;
A-028996	T. 7 N., R. 9 W.;
A-028997	T. 7 N., R. 9 W.;
AA-5809	T. 7 N., R. 9 W.;
AA-5810	T. 7 N., R. 9 W.;
AA-13275	T. 6 N., R. 10 W.

THE GRANT OF THE ABOVE-DESCRIBED ESTATE PREVIOUSLY DESCRIBED IN IC NO. 459 IS SUBJECT TO the terms and conditions of the Beaver Creek Settlement Agreement of May 18, 1981. A copy of the agreement may be found in Bureau of Land Management case file AA-44897.