



# United States Department of the Interior



BUREAU OF LAND MANAGEMENT  
Alaska State Office  
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<http://www.blm.gov>

**MAR 25 2016**

In Reply Refer To:  
FF-94610  
FF-94611  
FF-94612  
1864 (AK9420)

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

## DECISION

State of Alaska	:	FF-94610, FF-94611, FF-94612
Department of Natural Resources	:	Recordable Disclaimer of Interest
Attn: Marty Rutherford,	:	Applications
Acting Commissioner	:	Lake Minchumina, Muddy River,
550 West 7 <sup>th</sup> Avenue, Suite #1400	:	Kantishna River
Anchorage, Alaska 99501-3579	:	

## DECISION OF FEBRUARY 23, 2016, MODIFIED IN PART

By decision dated February 23, 2016, the State of Alaska's applications for a disclaimer of interest (RDI) for certain lands underlying the Lake Minchumina-Muddy River-Kantishna River corridor was approved.

The purpose of this decision is to make specific and limited modifications to the decision issued February 23, 2016.

An incorrect date referencing comments submitted by the National Park Service (NPS) was noted on page 7 (3<sup>rd</sup> paragraph). The decision incorrectly stated September 24, 2016 as the date comments were submitted by the NPS. The correct date should be September 24, 2007.

A typographic error on page 9 (1<sup>st</sup> paragraph) incorrectly referenced the Tanana River. The correct water bodies are: Lake Minchumina, Muddy River and the Kantishna River.

The description of lands approved for an RDI in the decision was incorrect as to the Kantishna River portion. The decision is hereby modified as follows:

On page No. 9, the description reads:

All submerged lands lying within the bed of the Kantishna River, between the ordinary high water lines of the left and right banks at the time of statehood, beginning at the abandoned site of Roosevelt (Sec. 31, T. 11 S., R. 19 W., F.M.) downstream to its confluence with the Tanana River in T. 2 S., R. 12 W., F.M.

The description is hereby modified to read:

All submerged lands lying within the bed of the Kantishna River, between the ordinary high water lines of the left and right banks at the time of statehood, beginning at the abandoned site of Roosevelt (Sec. 32, T. 11 S., R. 19 W., F.M.) downstream to its confluence with the Tanana River in T. 2 S., R. 12 W., F.M.

Except as expressly modified by this decision, the decision of February 23, 2016 is unchanged and stands as written.

#### HOW TO APPEAL THIS DECISION

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR Part 4 and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office (at the above address) within 30 days from receipt of this decision. Notices of appeal transmitted by electronic means, such as facsimile or email, will not be accepted as timely filed. The appellant has the burden of showing that the decision appealed from is in error.

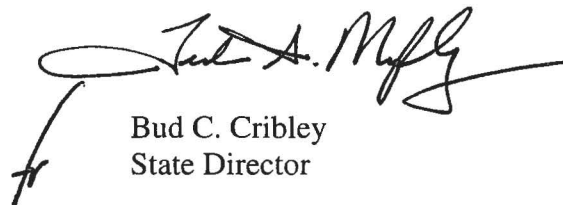
If you wish to file a petition pursuant to regulations contained in 43 CFR 4.21 for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

#### Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied,
- (2) The likelihood of the appellant's success on the merits,

- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.



Bud C. Cribley  
State Director

Enclosure  
Original Decision dated February 23, 2016  
Appeal Form 1842-1

cc (w/o enclosure):  
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