United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Alaska State Office
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In Reply Refer To:
AKFF097727 (1864)
(9414) KGE

DEC 9 / 2025

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DECISION

University of Alaska	:	AKFF097727/AKAK106592264
Land Management Office	:	Recordable Disclaimer of Interest
c/o Laurie Swartz, Senior Property Manager	:	Application
2025 Yukon Drive Suite 211	:	
Fairbanks, Alaska 99775	:	Silver Fox Mine RDI

APPLICATION APPROVED

On April 26, 2021, the University of Alaska (UA), an instrumentality of the State of Alaska (State), filed an application for a Recordable Disclaimer of Interest (RDI) with the Bureau of Land Management (BLM) pursuant 43 Code of Federal Regulations (CFR) Subpart 1864. The application pertains to the land described in Mineral Survey No. 2407, officially filed on May 6, 1983, and patented to the UA (patent number 50-85-0070) on December 27, 1984, with a reversionary interest to the United States. The purpose of the RDI is to remove the reversionary interest and a perceived cloud on title.

The legal land description is as follows:

> That portion of Mineral Survey No. 2407, Alaska, situated in Sections 8 and 9, Township 2 North, Range 1 East, Fairbanks Meridian, Alaska.
>
> The area contains 59.59 acres.

Section 315 of the Federal Land Policy Management Act (FLPMA) of 1976 authorizes the Secretary of Interior to issue a document of disclaimer of interest in any lands in any form suitable for recordation where the disclaimer will help remove a cloud on the title of such lands and where he determines a recorded interest of the United States in lands has terminated by operation of law or is otherwise invalid.

BACKGROUND

In support of its application, the UA provided statutes, letters, a patent (patent number 50-85-0070), and a statement regarding the nature of the cloud and why the UA believes the interest of the United States is invalid.

The UA contends there is a cloud on title due to discrepancies between stipulations in the Educational Mining Act of 1982,[1] patent number 50-85-0070, and subsequent statutes.[2] The discrepancies resulted in restrictions to the UA's use of the described lands which they claim are not in accordance with the Educational Mining Act of 1982, as amended.

Upon careful review, the BLM confirms there are contradictions in the statutes and patent that adversely affect the UA's right, title, and interest in the lands described.

On July 29, 2025, Notice of the UA's application was published in the *Federal Register*.[3] The BLM prepared a draft summary report "BLMR005153-AK-Silver-Fox-Summary Report" describing the UA's application and supporting evidence, as well as providing an in-depth analysis to explain why the BLM recommends approving the application. Notice of the UA's application and the availability of the draft summary report were published in the *Fairbanks Daily News-Miner* on August 13, 2025, August 20, 2025, and August 27, 2025. Information about this application, including the draft summary report, was also posted on the BLM-Alaska website.

The BLM sent copies of the draft summary report to the State, the BLM Eastern Interior Office, and the UA. The notices invited review and comments and afforded each recipient an opportunity to provide additional information. The comment period ended on October 27, 2025, and no comments were received.

LAND STATUS/OTHER

The lands described have been conveyed to the State and are surrounded by State land. The land is approximately 3.6 miles northeast of Fox, Alaska. To the west of the land is Fox Creek and to the east of the land is Flume Creek.

A review of U.S. Patent No. 50-85-0070 shows that the U.S. reserved certain rights of way for ditches and canals, railroads, and telegraph/telephone lines. A review of the BLM's land status records shows no potential conflicts with the proposed issuance of a disclaimer to the UA.

APPLICATION APPROVED

Based on the summary report of the BLM Alaska State Office and the supporting evidence submitted in the UA's application, the application is legally sufficient with the provisions of Section 315 of FLPMA, and the regulations contained in 43 CFR Subpart 1864; therefore, the application is hereby approved for the above-described lands. Exceptions and reservations in the patent continue to be preserved, and the RDI is subject to valid existing rights, if any.

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[1] 96 Stat. 2031, 2031-2032 (Jan. 3, 1983).
[2] 98 Stat. 1369, 1385-1386 (Aug. 22, 1984).
[3] 90 FR 35712

HOW TO APPEAL THIS DECISION

This decision may be appealed to the Interior Board of Land Appeals (IBLA), Office of Hearings and Appeals, in accordance with the regulations contained in 43 CFR Part 4. The notice of appeal must be filed no later than 30 days after the date of receiving notice of this decision. Any notice of appeal must be filed with the IBLA and must include a copy of the decision being appealed, a statement of standing, and a statement of timeliness.

If you wish to file a petition 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 show sufficient justification based on the criteria at 43 CFR 4.405(b).

The appellant must serve a copy of the notice of appeal and any accompanying documents on the office of the officer who made the decision, each person or entity named in the decision, and the appropriate Office of the Solicitor at the time of filing with IBLA (see 43 CFR 4.403(b); 4.407(b)). Parties must serve the Office of the Solicitor at the address shown on Form 1842-1. Service on a party known to be represented by an attorney or other designated representative must be made on the attorney or representative. If a statement of reasons for the appeal is not included with the notice of appeal, it must be filed within 30 days after the record on appeal is filed with the IBLA. Failure to file a statement of reasons within the time required will subject the challenged decision to summary affirmance (see 43 CFR 4.412(a)).



Kevin J. Pendergast
State Director

cc:
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