

C. Russell Lewis

OLES MORRISON RINKER & BAKER LLP

LAWYERS

February 10, 2000

John F. Bennett, PLS, SR/WA
Chief, Right of Way
Alaska Department of Transportation
Design & Engineering Division
2301 Peger Road
Fairbanks, Alaska 99709-5399

Re: Our File No. 99092.2

Dear Mr. Bennett:

Please reference your letter to the undersigned dated November 4, 1999. In that letter you invited me to propound specific questions regarding the Chitina-McCarthy road right-of-way. You expressed concern about the ambiguous nature of previous requests. In the interest of providing a question that may be addressed in a responsive fashion, I am submitting the following information.

I am requesting your assistance in determining three specific items of information as follows:

1. What does the Alaska Department of Transportation and Public Facilities (hereinafter "DOT") believe the right-of-way ("ROW") width to be on the Chitina-McCarthy Road where that road intersects the Kennicott River, i.e. the ROW width on the Chitina-McCarthy road at either side of the Kennicott River?
2. What activities are allowed in that ROW? Conversely, if it is easier to address, what activities are not allowed in that ROW?
3. What procedure does DOT have in place for enforcing any regulations relating to allowed or disallowed activities within a ROW?

Mr. John F. Bennett
February 10, 2000
Page 2

If you can answer these three questions, that would satisfy my request for the current time. I again repeat that the requested information does not relate to any current litigation against the State of Alaska or any of its agencies.

If I can be of any assistance in clarifying this request, please let me know.

Sincerely,

OLES MORRISON RINKER & BAKER LLP

A handwritten signature in black ink, appearing to read "C. Russell Lewis". The signature is written in a cursive style with a large initial "C" and a long horizontal stroke at the end.

C. Russell Lewis

CRL/lr:06crlben