

## UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT

2234 (210) Winter Wood

Fairbance District and Lead Office P.O. Mot. 1130 Fairbanke: Alaska 977/1

At. U. E. Steen Commissioner State of Alaska Department of Alaska P.J. Box 1467 Juneau, Maska 99801

Bear or Sceed

MAR 10 FAIRBANKS DISTRICT

As a result of our lovember 19. 1980 meeting with "ir. Chitty and or. Johansen, a 4415513 kisht of vay hotation was placed or our hand office records. This covered the portion of the winter road outside of the Arctic Corridor Proposed Classification. This was rewarded as an interference to offer some protection to the route heading actual construction and propagic culturations of the Certific Classification.

At this time we do not believe final classification of the corridor will be approved. Lithout approval, the proposal will empire by law on harch 11, 1969. We are also resitant to extend a further 44L0513 lotation because without bona fide Federal investment, such a right of way right, in any test, prove of questionable validity.

We have researched the question of existing right-of-way protection for the winter road. We are firm in the opinion that State amnouncement of intent to build the road, followed by actual construction, was in effect acceptance of a right-of way grant under the provisions of 1.5 2477, and that such a right-of way does upply. We also note that the announce want predates the december 12, 1908 application date for the weneral withdrawal, laulic hand Order 4502, which now applies to all unreserved lands in the State.

We are informed by our whate office that sufficient leval precedence exists to justify our opinion.

If we can be furnished conterline location wass of the road we will post this to our records with the appropriate notation.

	1	1		,			. \				1	<u>.                                      </u>	
RETURN TO FILE	:	AC SHIPEG	· .	1	Fig	,	*	3	1.	 ADAMI LIK	PRE CON'T INTH	DIST ENCE	<u>}</u>
			!	·			174	,		 	182		

In summary, RS 2477 applies to the entire winter road, except for any private or earlier reserved lands. A 44LD513 notation of possibly questionable validity also applies to the portion from Livengood to just south of Bettles. Our Arctic Corridor Proposed Classification will continue until March 22, 1969.

We hope that this clarifies the protection offered the winter road. We would like to continue working closely with your office and the District Engineer on this project.

Sincerely yours.

(Sgd.) Robert C. Krumm

Manager, Fairbanks District and Land Office

ec:

Mr. Dick Chitty Right of Way Director State Dept. of Highways P.O. Box 1467 Juneau, Alaska 99801

Mr. Woodrow Johansen, District Engineer State Department of Highways 612 Illinois Street Faithanks, Alaska 99701