



United States Department of the Interior
OFFICE OF HEARINGS AND APPEALS
Hearings Division - Indian Probate
139 East South Temple, Suite 600
Salt Lake City, Utah 84111-1159

IN THE MATTER OF THE ESTATE OF: : PROBATE IP SL 017H 99
: :
JIMMIE P. MALEMUTE : : DECISION
: :
Deceased Alaska Native : :
: :

Pursuant to Notice duly served and posted as required at 43 CFR 4.211 and 4.212, hearing in this matter was held at Fairbanks, Alaska, on June 10, 1999, to determine the validity of the last will and testament of Jimmie P. Malemute, deceased Alaska Native (Decedent) and to settle his trust and restricted property estate.

Findings and Conclusions based upon the evidence adduced are as follows:

1. Jimmie P. Malemute, whose last residence was in the State of Alaska, was born February 26, 1927, and died at Anchorage, Alaska, on February 2, 1998.
2. Decedent was survived by three sons, one daughter and one granddaughter.
3. Decedent died possessed of an interest in certain trust or restricted property in the State of Alaska, listed on the inventory attached hereto, and other reporting documents.
4. Had there been no will, decedent's heirs at law and the distribution of the estate are determined in accordance with the statutes of descent of the State of Alaska, ALASKA STAT. ANN. § 13.12.103(1), as follows:

Carlson A. Malemute	b: 03-05-45	Son	1/5
Jimmie S. Malemute, Jr.	b: 01-23-54	Son	1/5
Clyde Malemute	b: 03-25-56	Son	1/5
Gail M. Gregory	b: 01-01-57	Daughter	1/5
Ginger M. Attla	b: 09-25-75	Granddaughter	1/5

5. A last will and testament of the decedent executed August 2, 1989, has been filed in this proceeding. The will is not self-proving, but has been proved by written affidavits of the subscribing witnesses to the will. There were no objections to the will. Decedent's will was properly executed and at the time of execution the decedent possessed testamentary capacity and acted free of undue influence. Accordingly the will should be and hereby is approved. By its

IP SL 017H 99

terms decedent devised all of his interest in and to the estate that is subject to this proceeding as follows:

a. All of his Native Allotment number F-13406, as tenants in common to:

Carlson A. Malemute	b: 03-05-45	Son	1/3
Jimmie S. Malemute, Jr.	b: 01-23-54	Son	1/3
Gail M. Gregory	b: 01-01-57	Daughter	1/3

b. All of the rest and residue of his interests that are subject to this proceeding to:

Gail M. Gregory	b: 01-01-57	Daughter	All
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6. Decedent's devisees are Alaska Natives and citizens of the United States.

7. No claims have been filed against this estate.

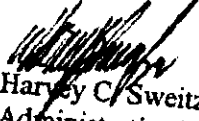
ORDER

NOW, THEREFORE, by virtue of the power and authority vested in the Secretary of the Interior by Section 1 of the Act of June 25, 1910, as amended, 25 U.S.C. 372 (1970), and other applicable statutes, and pursuant to 43 CFR Part 4, it is hereby **ORDERED**:

The Superintendent or other officer in charge shall distribute the estate according to the findings and conclusions herein.

This decision is final for the Department unless a petition for rehearing is timely filed in accordance with 43 CFR 4.241 within 60 days from the date hereof as set forth in the notice attached hereto.

Dated at Salt Lake City, Utah, JAN 31 2000.


 Harvey C. Sweitzer
 Administrative Law Judge

RECORDED
 FILE SERVICE CENTER
 00 FEB -9 AM 7:11
 BUREAU OF INDIAN AFFAIRS
 JUDGEAU AREA OFFICE

INVENTORY AND APPRAISEMENT OF RESTRICTED
LANDS OF JIMMIE P. MALEMUTE, DECEASED ATHABASCAN
OF THE STATE OF ALASKA

According to the records of the Tanana Chiefs Conference, Inc., Fairbanks, Alaska, Jimmie P. Malemute, deceased Athabaskan, at the time of his death, February 2, 1998, was possessed of the following restricted lands in the State of Alaska:

HIS OWN PUBLIC DOMAIN
ALLOTMENT FF-013406

Certificate of Native Allotment issued September 18, 1989 to Jimmie Malemute for U.S. Survey No. 7440, Alaska, situated on the left bank of the Yukon River, approximately 15 miles southeasterly of Galena, Alaska, containing 159.99 acres, Nulato Recording District, pursuant to the Act of May 17, 1906 (34 Stat. 197), as amended.

ESTIMATED AT:

\$56,000

INHERITED INTEREST:
A 1/12TH INTEREST IN
NATIVE ALLOTMENT
FF-013398 FROM STEP-
FATHER, ROBERT G.
DEMOSKI, SR.
DOD: 8/18/73
IP SA 81N 90
THRU MOTHER,
LENA DEMOSKI
DOD: 11/1/73
IP SA 89N 92

Certificate of Native Allotment issued September 17, 1990 to the Heirs, Devisees and/or Assigns of Robert G. Demoski, Sr. for Lot 9, U.S. Survey No. 7401, Alaska, situated on the right bank of the Yukon River approximately 6 miles southeast of Galena, Alaska, containing 131.66 acres, Nulato Recording District, pursuant to the Act of May 17, 1906 (34 Stat. 197), as amended.

ESTIMATED AT: \$46,081 X 1/12TH SHARE = \$3,838.55

TOTAL ESTIMATED REAL PROPERTY
VALUE OF DECEDENT'S ESTATE:

\$59,800

I certify that the foregoing is an accurate inventory, according to the records of the Tanana Chiefs Conference, Inc. of the restricted real property, or interests therein, owned by Jimmie P. Malemute, at the time of his death, February 2, 1998. The value shown in this inventory may be an estimate and may not necessarily represent the present market value of the property. Further investigation of values should be made before entering into any negotiations involving this property.

Dated at Fairbanks, Alaska this 12th day of October, 1998.

Paul Mayo
Director, Real Estate Services

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IN REPLY REFER TO:



**UNITED STATES
DEPARTMENT OF THE INTERIOR**

BUREAU OF INDIAN AFFAIRS
ALASKA REGION
ALASKA TITLE SERVICES CENTER
1675 C Street
Anchorage, Alaska 99501-5198
(907) 271-4026 FAX (907) 271-4801

THIS IS TO CERTIFY that the foregoing Decision, IP SL 017H-99 is a full, true and correct copy of the original as the same appears in the records and files of the Bureau of Indian Affairs, Alaska Title Services Center.

IN WITNESS WHEREOF, I have hereunto set my hand on February 9, 2000 at Anchorage, Alaska.

Helen A. Atwater, for

Scott D. Houk, Land Law Examiner

000101
NULATO 80
RECORDING DISTRICT

APR -4 P 1:57
REQUESTED BY
YDC

RETURN TO: Tanana Chiefs Conference
ATTN: Realty Department
122 First Avenue Suite 600
Fairbanks, AK 99701

NULATO RECORDING DISTRICT