The superior court was correct in concluding that "the critical entry for purposes of determining whether a section line applies is [the] . . . entry that resulted in the issuance of a patent." But it was error to conclude that Walker had a claim to such a patent only upon the BLM's approval of his entry.

Under the now-repealed homestead laws, a party established a claim to land not when the federal authorities allowed entry but rather when the party took the steps necessary to have entry recognized. " '[Entry] means that act by which an individual acquires an inceptive right to a portion of the unappropriated soil of the country by filing his claim' in the appropriate land office."[24] In Walker's case, that "inceptive right" was acquired when he filed his application for entry. Completing the application requirements and "fil[ing] his application in the United States Land Office" was "all that [an applicant] could possibly do to . . . [make] a lawful homestead entry."[25] At that point, the lands at issue became "subject to individual rights of a settler. . . . [T]he portion covered by the entry [was] then segregated from the public domain . . . and until such time as the entry may be cancelled by the government or relinquished, the land [was] not

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[24] *Hillstrand v. State*, 395 P.2d 74, 76 (Alaska 1964) (alteration in original) (quoting *Chotard v. Pope*, 25 U.S. 586, 588 (1827)).

[25] *United States v. 348.62 Acres of Land in Anchorage Recording Dist.*, 10 Alaska 351, 364 (D. Alaska 1943); *see also Hastings & D.R. Co. v. Whitney*, 132 U.S. 357, 363 (1889) ("Under the homestead law three things are needed to be done in order to constitute an entry on public lands: First, the applicant must make an affidavit setting forth the facts which entitle him to make such an entry; second, he must make a formal application; and, third, he must make payment of the money required. When these three requisites are complied with, and the certificate of entry is executed and delivered to him, the entry is made, the land is entered."); *Ault v. State*, 688 P.2d 951, 954 (Alaska 1984) (quoting *348.62 Acres*, 10 Alaska at 359).