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SETTLEMENT CLAIMS AND PLO 1613  
HANDBOOK/BUREAU OF LAND MANAGEMENT



# United States Department of the Interior

## BUREAU OF LAND MANAGEMENT

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Anchorage, Alaska 99513

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2562  
2563  
2780  
(961)

April 2, 1987

Instruction Memorandum No. AK 87-197  
Expires 9/30/88

To: DM's, DSD's, SC's, and M-AFS

From: State Director, Alaska

Subject: Settlement Claims and PLO 1613 Handbook

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U.S. Department of the Interior



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To: DM's, DSD's, SC's, and M-AFS  
From: State Director, Alaska  
Subject: Settlement Claims and PLO 1613 Handbook

Enclosed is the final draft of the subject handbook which includes current policy and procedural guidance for all phases of Settlement Claims and PLO 1613 application processing. Changes and revisions will be made as needed by the Division of Conveyance Management through the State/ANCSA coordinator and issued under instruction memorandum as replacement pages to the handbook.

Each BLM employee involved in the Settlement Claims and PLO 1613 program should have ready access to the handbook. In order to assure adequate copies are available, each DSD and DM is responsible for ordering the number of copies required by each office through Joe Labay (961) at 271-3340. This will eliminate the need for subsequent copying by individuals or organizations.

Deputy State Director -  
Conveyance Management

Attachment:  
1 Settlement Claims and PLO 1613 Handbook (21 p)

Distribution:

Director (310)

Adjudication of Settlement Claims and Public Land  
Order 1613

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- A. How to Mark and Describe Unsurveyed Land
- B. Notice of Location Form
- C. Settlement Claims Worksheet
- D. Form AK-2213-3 (T&M Application)
- E. Form AK-2563-2b (Homesite Application)
- F. Form AK-2563-1b (Headquarters Application)
- G. IM AK 86-248
- H. Publication Package
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- K. Sample Letter to State (escheat)
- L. Form 1850-1 (Sample) (Contest Transmittal)
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- O. Action Code Dictionary (Settlement Claims)
- P. PLO 1613
- Q. Application Form for PLO 1613
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- S. Sample PLO 1613 Rejection Decision
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## Chapter I

### 2562. Trade and Manufacturing Sites

#### I. Purpose of the Laws.

The purpose of this law is to enable traders or manufacturers, engaged in productive industry, to purchase tracts of land not exceeding 80 acres for a business site.

#### II. Authority.

The statutory authority for Trade and Manufacturing (T&M) Sites is Section 10 of the Act of May 14, 1898 (30 Stat. 413), as amended August 23, 1958 (72 Stat. 730; 43 U.S.C. 687a).

The Act of March 8, 1922 (42 Stat. 415; 48 U.S.C. 376-377), allowed lands valuable for coal, oil, or gas deposits to be subject to disposition as long as these minerals are reserved to the United States. Likewise, the Act of December 24, 1970 (84 Stat. 1566) allowed lands potentially valuable for geothermal resources to be subject to disposition as long as these resources are reserved to the United States.

The Federal Land Policy and Management Act of October 21, 1976 (FLPMA), repealed the act of May 14, 1898, with an effective date of October 21, 1986. Pursuant to a Solicitor's opinion dated July 30, 1986, we will accept notices of location up to 90 days after October 21, 1986, as long as the claim was initiated on or before October 21, 1986.

Another authority used is Section 1328 of the Alaska National Interest Lands Conservation Act of December 2, 1980 (ANILCA). This act legislatively approved certain T&M sites which were filed prior to ANILCA.

#### III. Definitions.

##### A. Trade.

1. The act or business of exchanging commodities by barter; or the business of buying and selling for money; traffic; barter.
2. The business which a person has learned and in which he engages for procuring subsistence or for profit; occupation; especially mechanical employment as distinguished from the liberal arts, the learned professions, and agriculture.



B. Manufacture.

1. The process or operation of making wares or any material produced by hand, by machinery or by other agency; anything made from raw materials by the hand, by machinery or by art.
2. The production of articles for use from raw or prepared materials by giving such materials new forms, qualities, properties or combinations, whether by hand, labor, or machine.

C. Other productive industry.

1. In general, the definitions under trade and manufacture should be applied.
2. Where it is doubtful that a particular type of business falls within the meaning of the trade and manufacturing site act, it may be necessary that the Regional Solicitor's opinion be obtained, or in some cases, where an application to purchase is concerned, that the matter be decided on appeal.

D. Settlement/Occupancy.

Staking the land and beginning improvements or using the land. This could include (but is not limited to) clearing the site for planned use, storing construction material, and constructing improvements including temporary structures.

IV. Applicant Qualifications.

An applicant can be either an individual, an association of citizens or a corporation. A married couple is considered an association of citizens so a husband and wife cannot separately apply for a T&M site involving the same business. An applicant must be a U.S. citizen and 21 years of age.

V. General Requirements.

Lands subject to settlement must be vacant, unappropriated and unreserved. They also must be non-mineral in character (locatable minerals). A T&M site must be a single tract of land not exceeding 80 acres, and cannot be intersected by a navigable water body (Exxon Pipeline Company, et. al v. David A. Burns, A82-454 Civ. (Consolidated)). The land cannot abut more than 80 rods of navigable shorespace. This restriction cannot be waived. A T&M site cannot be more than four times as long as it is wide.

VI. Notice of Location.

A. Requirements.

A complete notice (filed in triplicate for unsurveyed land and in duplicate for surveyed land) should include:

1. The name, address, age, citizenship, and signature of applicant. If the Notice of location is made by an association of citizens or a corporation, the following information must be submitted with it:
  - a. The qualifications of each member of the organization.
  - b. A copy of the Articles of Association or Articles of Incorporation or other evidence showing the organization is authorized to hold land.
  - c. For corporations only:
    - (1) Proof of incorporation, which must be established by the certificate of the officer having custody of the records of incorporation at the place of its formation.
    - (2) A certificate from the Secretary of State indicating that the corporation is authorized to do business in Alaska.
    - (3) Evidence that the individual signing the application is authorized to act for the corporation in such matters.
2. A \$10.00 filing fee which is refundable only in cases where the land is not subject to disposition under the T&M site law.
3. The date of settlement and occupancy. The notice must be filed within 90 days after initiation of settlement and occupancy. If it is not, no credit shall be given for occupancy prior to the filing of the notice or application to purchase, whichever is earlier. Settlement and occupancy means staking the land, and beginning improvements or use of the land. The initial act of settlement must be followed within a reasonable time by further acts of settlement and improvement. The five-year period allowed to "prove up" begins on the date the claimant files the Notice with BLM. The mere filing of a Notice of location does not segregate the land. Acts of settlement and occupancy are needed to protect a person's right.

4. A proper description of the land by legal subdivisions, section, township and range, if surveyed, or by metes and bounds with reference to some natural object or permanent monument, if unsurveyed. The approximate latitude and longitude is helpful for unsurveyed land. (See Exhibit A).
5. The kind of trade, manufacture or other productive industry in connection with which the claim is maintained or desired.
6. See Notice of location form OMB No. 1004-0069 (Exhibit B).

B. Adjudication.

(Use a Settlement Claims Worksheet for each file (Exhibit C))

1. After the notice has been filed, a serial number assigned and the records noted, the adjudicator will review the notice for completeness, check the land status and request a leaseable mineral report from ASO (985) and locatable mineral report from the appropriate district office. See Glossaries 139a and 141a. If the land is available for settlement, the Notice of location will be signed by the Branch Chief and a copy returned to the applicant along with a notice acknowledging the Notice of location and a copy of the regulations. See Glossary 571a.
2. If the Notice of location is incomplete, the claimant will be notified by a notice to correct any defects. If he/she does not correct or complete the notice, his/her claim will be cancelled by decision.
3. If the land is not available for settlement because of conflicting land status or being mineral in character (locatable), the claimant will be issued a decision cancelling his/her claim. In order for the land to be mineral in character, a formal on-the-ground mineral exam needs to be completed. If this will take some time to complete, notify the claimant that his/her claim is potentially valuable for locatable minerals and after a thorough mineral exam is completed he/she will be notified.
4. If the lands are found to be valuable or prospectively valuable for oil, gas, coal or geothermal steam, issue a decision reserving the appropriate mineral(s) to the United States. See Glossary 155a.

VII. Application to Purchase.

A. General Requirements.

The application to purchase must be filed, in duplicate, no later than 5 years after the filing of the notice of location, but may

be filed at any time after the completion of improvements and the commencement of business operations. No form is required by regulation but it should contain all the information on AK-2213-3 (Exhibit D). The application must be signed by the applicant and corroborated by the statements of two persons. A \$10.00 non-refundable filing fee must accompany the application. Improvements must be sufficient to support the claimed use. The application must be accompanied by proof of use in connection with a productive industry which may consist of, but is not limited to:

1. Copies of business licenses.
2. Copies of advertising.
3. Statements from customers.
4. Statements from persons in the area of the claim who are familiar with the use of the land in connection with a commercial venture.
5. Statement of employment.
6. Copies of accounting records and income tax returns.

B. Use by the Applicant.

1. All land applied for must actually be used and occupied for the purpose of trade, manufacture or other productive industry. A site for a future business cannot be acquired under this law. An applicant can obtain title to only that portion of the claim which she/he has improved and is using and occupying at the time of filing of his/her application to purchase.
2. An agricultural pursuit, such as raising crops (wild or domestic), or livestock (wild or domestic) will not qualify a person for purchase of a T&M site since these agricultural or horticultural pursuits are specifically authorized under different laws.
3. While it is not necessary for the claimant to show that all functions of the business were carried on at the site, he must show a bona fide commercial enterprise from which he/she can reasonably expect to derive a profit.
4. A T&M site application can easily be amended to a headquarters, since they arise from the same law, if the business is not actually carried out on the land or less than 5 acres are needed or used for the business.

C. Adjudication.

1. An adjudicator will review the application for completeness and if complete will then request a field examination from the district to see if the applicant has complied with the requirements of the law. If the application can be legislatively approved (see Sec. 1328 of ANILCA), the adjudicator will only request a field check to determine a proper legal description.
  - a. If the application is not complete, a notice will be sent to the applicant requiring the needed documents or information within 60 days. If the documents or information are not received, the application will be rejected by decision.
  - b. See 2090-General Guidance for Conveyances for appeal information.
2. After a field report is received, the adjudicator will determine if all the requirements have been met.
3. If the applicant has met the requirements, the adjudicator will proceed with the next steps:
  - a. Request another leaseable mineral report from ASO (985) and issue a mineral decision if necessary.
  - b. If the land is not surveyed, follow the procedures in IM AK 86-248. See Exhibits G and Glossaries 512a, 513a, 514a and 153a.
  - c. When the land is surveyed, the adjudicator will direct publication. The survey conformance and purchase price are required at the same time (\$2.50 per acre; \$10.00 minimum). Publication is not required if the claim has been legislatively approved. If the claim is legislatively approved, issue only a notice requiring the purchase price and conformance to plat of survey. See Glossary 151a.
    - (1) If the applicant is required to publish, he will publish at his/her expense, once a week for 9 consecutive weeks. He/she will also be required to post a copy of the Notice of Publication on the land claimed, during the entire publication period. If the claim is described by a U.S. Survey, the applicant will also be required to post the plat of survey and a copy of the application on the land.

- (2) The applicant must furnish evidence within 60 days of receipt of our Notice that publication has been initiated and required papers have been posted.
- (3) For information on setting up the publication package, see Exhibits H through J and Glossaries 12a and 13a. Be sure to send a copy of the publication Notice to the proper public room for posting.
- (4) Thirty days after publication, when all the publication requirements are met, inform the public room that it may date and remove the posted publication notice.
- d. Ask Cadastral if all survey costs have been paid. If not, Cadastral will notify the applicant. Patent cannot issue until these costs are paid.
- e. If no quiet title action resulted from the publication and after the purchase price and any additional survey costs are received and (in most cases) publication completed with documents received, reject any conflicting claims shown on the MTP. See Glossary 21a.
- f. If no appeal is filed, issue a patent. See patent Glossary 229a. If patent is being issued to a corporation, check with the State to see if the corporation is in good standing. If the corporation is defunct, a patent can still issue to the assignees of that company IF, when the purchase price was paid, the corporation was in good standing. The patent should be issued to "Assignees of \_\_\_\_\_, a dissolved Alaska Corporation." When issuing a patent to the assignees of a defunct corporation, also send a letter to the State alerting it of a possible escheat situation (Exhibit K). If the applicant is deceased, issue the patent to the Heirs, Devisees and/or Assigns of that person and send a similar letter to the State regarding a possible escheat situation.
- g. If a case is being adjudicated pursuant to equitable adjudication do not reject any conflicting claims at this time (see VII E).
4. If an applicant has not met the necessary requirements (based on factual evidence), issue a government contest complaint. See Glossary 214a. Note that a contest proceeding cannot be initiated after 2 years from the date the applicant pays his/her purchase price (United States v. Evelyn M. Bunch (on Judicial Remand), 64 IBLA 318 (1982)).

After 2 years, the applicant is entitled to a patent whether he/she has complied with the requirements or not.

A draft of the proposed contest is transmitted to the Regional Solicitor's office for approval. Once approved, issue the complaint with copies (CM-RRR) to all parties of interest.

a. If the complaint is answered do the following:

- (1) Prepare Form 1850-1 (Exhibit L);
- (2) Make up 2 special case files: One for the Administrative Law Judge (ALJ) containing ONLY a copy of the application, complaint and answer. The second file for docket (hold file) should contain the above documents and the field report.
- (3) Send the ALJ's file CM-RRR to:  
Office of Hearings and Appeals  
U.S. Department of the Interior  
6433 Federal Building  
Salt Lake City, Utah 84138

Staple the original Form 1850-1 to the outside of the case file with a copy inside the file.

- (4) Send the hold file to Docket.
- (5) Send the original case file to the Regional Solicitor through the Paralegal.

b. If the complaint is not answered the case must be decided based on the evidence in the file which will result in either approval or rejection. Issue a decision if the application is to be rejected.

#### D. Legislative Approval.

Section 1328 of ANILCA legislatively approved certain claims which had been filed at the time of ANILCA. Since this section did not actually pass title, the applicant is still required to pay the survey costs, if applicable, and the purchase price. Publication is not required. Any conflicting claims do have to be rejected. An applicant can still relinquish his/her claim. However, a legislatively approved trade and manufacturing site cannot be transformed into a legislatively approved headquarters or homesite. We would have to adjudicate the headquarters or homesite pursuant to the law and regulations.

The patent issued for a legislatively approved claim must cite ANILCA as one of the authorities for the patent.

E. Equitable Adjudication.

There are several reasons why a case could be considered under equitable adjudication. The most frequent reason is the applicant filed his application to purchase after the 5-year statutory life. If an applicant has substantially complied with the requirements of the law but the error or informality can be satisfactorily explained, equitable adjudication can be considered (See 43 CFR 1871.1) Any application filed late cannot be legislatively approved. A new BLM manual 1870 is in the draft stage at the present time. Until it is finalized proceed as follows:

1. By notice require the applicant to submit reasons for error or informality.
2. If the explanation is not satisfactory, reject the application by decision, denying equitable adjudication.
3. If the explanation is satisfactory, process the file following the procedures under VII C.1 to C.3.c. or C.4.b.
4. If following VII C.3 (approval of claim), once the applicant has completed everything required of him/her (paying purchase price and survey costs, and directing publication), submit Form 1870-1, accompanying memorandum (Exhibits M and N) and the case file to the Director for approval.
5. When the Director returns the form, if the entry has been approved, reject any conflicting claims that are on the status plats and if no appeals are filed, issue the patent.
6. If the entry has not been approved by the Director, issue a decision rejecting the application and denying equitable adjudication.

F. Coding of the case file.

Use the allowable action codes for all actions taken. See IM AK 87-89, Exhibit O.



## Chapter II

### 2563. Homesites or Headquarters

#### I. Purpose of the Laws.

**Headquarters:** The purpose is to enable fishermen, trappers, traders, manufacturers, or others engaged in productive industry in Alaska to purchase small tracts of unreserved land, not exceeding 5 acres, as headquarters.

**Homesites:** The purpose is to enable qualified citizens of the United States to purchase small tracts of unreserved land, not exceeding 5 acres, as homesites.

#### II. Authority.

Both homesites and headquarters derive their basic authority from the Act of May 14, 1898 which extended the homestead laws to Alaska. The statutory authority for headquarters is the Act of March 3, 1927 (43 USC 687a, as amended) and for homesites is the Act of May 26, 1934 (48 Stat. 809).

The Act of March 8, 1922 (42 Stat. 415; 48 U.S.C. 376-377), allowed lands valuable for coal, oil, or gas deposits to be subject to disposition as long as these minerals are reserved to the United States. Likewise, the Act of December 24, 1970 (84 Stat. 1566) allowed lands potentially valuable for geothermal resources to be subject to disposition as long as these resources are reserved to the United States.

The Federal Land Policy and Management Act of October 21, 1976 (FLPMA), repealed the above authorities with an October 21, 1986 effective date. Pursuant to a Solicitor's opinion dated July 30, 1986, we will accept notices of location up to 90 days after October 21, 1986, as long as the claim was initiated on or before October 21, 1986.

Another authority used is Section 1328 of the Alaska National Interest Lands Conservation Act of December 2, 1980 (ANILCA). This act legislatively approved certain homesites and headquarters which were filed prior to ANILCA.

#### III. Applicant Qualifications.

For both the homesites and headquarters, the applicant must be a U.S. citizen and only one person can file (it cannot be an association of citizens or a corporation). An applicant for a headquarters must also be 21 years of age and be engaged in or employed by a person who is engaged in a trade, manufacture or other productive industry in Alaska. An applicant for a

homesite does not need to be 21 years of age, but must qualify to hold title to land under the State of Alaska laws.

IV. General Requirements.

Lands subject to settlement must be vacant, unappropriated and unreserved. They also must be non-mineral in character (locatable minerals).

V. Notice of Location.

A. Requirements.

A complete notice (filed in triplicate for unsurveyed land and in duplicate for surveyed land) should include:

1. The name, address, age, citizenship and signature of applicant;
2. A \$10.00 filing fee which is refundable only in cases where the land is not subject to disposition under the homesite or headquarters law;
3. The date of settlement and occupancy. The notice must be filed within 90 days after initiation of settlement and occupancy. If it is not, no credit shall be given for occupancy prior to the filing of the notice or application to purchase, whichever is earlier. Settlement and occupancy means staking the land, and beginning improvements or using the land. The initial act of settlement must be followed within a reasonable time by further acts of settlement and improvement. The five-year period allowed to "prove up" begins on the date the claimant files the notice with BLM. The mere filing of a Notice of location does not segregate the land; acts of settlement and occupancy are needed to protect a persons right.
4. A proper description of the land by legal subdivisions, section, township and range, if surveyed, or by metes and bounds with reference to some natural object or permanent monument, if unsurveyed. The approximate latitude and longitude is helpful for unsurveyed land. (See Exhibit A).
5. For headquarters only, the notice must show the kind of trade, manufacture or other productive industry in connection with which the claim is maintained or desired and identify the ownership of the business. (See definitions under Trade and Manufacturing Sites, Chapter I)
6. See Notice of location form OMB No. 1004-0069 (Exhibit B).

## B. Adjudication.

(Use a Settlement Claims Worksheet for each file (Exhibit C))

1. After the notice has been filed, a serial number assigned and the records noted, the adjudicator will review the notice for completeness, check the land status and request a leaseable mineral report from ASO (985) and locatable mineral report from the appropriate district office. See Glossaries 139a and 141a. If the land is available for settlement, the Notice of location will be signed by the Branch Chief and a copy returned to the applicant along with a notice acknowledging the Notice of location and a copy of the regulations. See Glossary 571a.
2. If the Notice of location is incomplete, the claimant will be notified by a notice to correct any defects. If he/she does not correct or complete the notice, his/her claim will be cancelled by decision.
3. If the land is not available for settlement because of conflicting land status or being mineral in character (locatable), the claimant will be issued a decision cancelling his/her claim. In order for the land to be mineral in character, a formal on-the-ground mineral exam needs to be completed. If this will take some time to complete, notify the claimant that his/her claim is potentially valuable for locatable minerals and after a thorough mineral exam is completed he/she will be notified.
4. If the lands are found to be valuable or prospectively valuable for oil, gas, coal or geothermal steam, issue a decision reserving the appropriate mineral(s) to the United States. See Glossary 155a.

## VI. Application to Purchase.

### A. General Requirements.

The application to purchase must be filed, in duplicate, no later than 5 years after the filing of the notice of location, but may be filed any time after use and occupancy requirements are met. No form is required by regulation but it should contain all the information on AK-2563-2b or AK-2563-1b. See Exhibits E and F. The application must be signed by the applicant and corroborated by the statements of two persons. A \$10.00 non-refundable filing fee must accompany the application.

B. Requirements for Homesite.

The applicant for a homesite must show that:

1. He/she constructed a habitable house on the land. A "habitable house" must be suitable for year-round use. A trailer must be on a permanent foundation and/or have the wheels removed;
2. He/she resided on the land, in the habitable house, for not less than 5 months each year for 3 years. The required occupancy of 5 months in a habitable house must fall within a given entry year. The homesite must be the applicant's primary place of residence during the periods of residence claimed. This means he/she must not only reside on the land but intend to make it his/her home. Veterans may get credit towards their residency based on length in service (see CFR 2096.1-3(a)(2)).

C. Requirements for Headquarters.

The applicant for a headquarters must show:

1. The actual use and occupancy of the land;
2. the nature of the trade, business or productive industry in which the applicant or his/her employer is engaged;
3. the location of the tract with respect to the place of business and other facts demonstrating its adaptability to the purpose of the headquarters.
4. The application must be accompanied by documentary evidence such as copies of business licenses, tax receipts, customer receipts, etc. showing that the applicant is using the land in connection with his/her own business or that of his/her employer.

D. Adjudication.

1. An adjudicator will review the application for completeness and if complete will then request a field examination from the district to see if the applicant has complied with the requirements of the law. If the application can be legislatively approved (see Sec. 1328 of ANILCA), the adjudicator will only request a field check to determine a proper legal description.
  - a. If the application is not complete, a notice will be sent to the applicant stating that the required documents or information must be submitted within 60

days. If the documents or information are not received, the application will be rejected by decision.

- b. See 2090-General Guidance for Conveyances for appeal information.
2. After a field report is received, the adjudicator will determine if all the requirements have been met.
  3. If the applicant has met the requirements the adjudicator will proceed with the next steps:
    - a. Request another leaseable mineral report from ASO (985) and issue a mineral decision if necessary.
    - b. If the land is not surveyed, follow the procedures in IM AK 86-248. See Exhibit G and Glossaries 512a, 513a, 514a and 153a.
    - c. When the land is surveyed, the adjudicator will direct publication. Survey conformance and the purchase price are required at the same time (\$2.50 per acre; \$10.00 minimum). Publication is not required if the claim has been legislatively approved. If the claim is legislatively approved, issue only a notice requiring the purchase price and conformance to plat of survey. See Glossary 151a.
    - d. If the applicant is required to publish, he will publish at his/her expense. The period of publication will depend on the type of survey (5 weeks for rectangular net survey and 9 weeks for special survey). He/She will also be required to post a copy of the Notice of Publication on the land claimed, during the entire publication period. If the claim is described by a U.S. Survey, the applicant will also be required to post the plat of survey and a copy of the application of the land.

The applicant must furnish evidence within 60 days of receipt of our notice that publication has been initiated and required papers have been posted.

For information on setting up the publication package, see Exhibits H through J and Glossaries 12a and 13a. Be sure to send a copy of the publication notice to the proper public room for posting.

Thirty days after publication, when all the publication requirements are met, inform the public room that it may date and remove the posted publication notice.

- e. Ask Cadastral if all survey costs have been paid (homesites are surveyed at BLM expense unless a private surveyor is used). If there are outstanding costs, Cadastral will notify the applicant. Patent cannot issue until these costs are paid.
  - f. If no quiet title action resulted from the publication and after the purchase price and any additional survey costs are received and (in most cases) publication completed with documents received, reject any conflicting claims shown on the MTP. See Glossary 21a.
  - g. If no appeal is filed, issue a patent. See patent Glossary 229a. If the applicant is deceased, issue the patent to the Heirs, Devisees and/or Assigns of that person and send a letter to the State alerting it of a possible escheat situation (Exhibit K).
  - h. If a case is being adjudicated pursuant to equitable adjudication do not reject any conflicting claims at this time (see VI F).
4. If an applicant has not met the necessary requirements (based on factual evidence), issue a government contest complaint. See Glossary 214a. Note that a contest proceeding cannot be initiated after 2 years from the date the applicant pays his/her purchase price (United States v. Evelyn M. Bunch (on Judicial Remand), 64 IBLA 318 (1982)). After 2 years, the applicant is entitled to a patent whether he/she has complied with the requirements or not.

A draft of the proposed contest is transmitted to the Regional Solicitor's office for approval. Once approved, issue the complaint with copies (CM-RRR) to all parties of interest.

a. If the complaint is answered do the following:

- (1) Prepare Form 1850-1 (Exhibit L).
- (2) Make up 2 special case files: One for the Administrative Law Judge (ALJ) containing ONLY a copy of the application, complaint and answer. The second file for docket (hold file) should contain the above documents and the field report.
- (3) Send the ALJ's file CM-RRR to the following:  
 Office of Hearings and Appeals  
 U.S. Department of the Interior  
 6433 Federal Building  
 Salt Lake City, Utah 84138

Staple the original Form 1850-1 to the outside of the case file with a copy inside the file.

- (4) Send the hold file to Docket.
  - (5) Send the original case file to the Regional Solicitor through the Paralegal.
- b. If the complaint is not answered the case must be decided based on the evidence in the file which will result in either approval or rejection. Issue a decision if the application is to be rejected.

E. Legislative Approval.

Section 1328 of ANILCA legislatively approved certain claims which had been filed at the time of ANILCA. Since this section did not actually pass title, the applicant is still required to pay the survey costs, if applicable, and the purchase price. Publication is not required. Any conflicting claims do have to be rejected. An applicant can still relinquish his/her claim. However, a legislatively approved trade and manufacturing site or headquarters claim cannot be transformed into a legislatively approved headquarters or homesite. We would have to adjudicate the headquarters or homesite pursuant to the law and regulations.

The patent issued for a legislatively approved claim must cite ANILCA as one of the authorities for the patent.

F. Equitable Adjudication.

There are several reasons why a case could be considered under equitable adjudication. The most frequent reason is the applicant filed his application to purchase after the 5-year statutory life. If an applicant has substantially complied with the requirements of the law but the error or informality can be satisfactorily explained, equitable adjudication can be considered (See 43 CFR 1871.1). Any application filed late cannot be legislatively approved. A new BLM manual 1870 is in the draft stage at the present time. Until it is finalized proceed as follows:

1. By notice require the applicant to submit reasons for error or informality.
2. If the explanation is not satisfactory, reject the application by decision, denying equitable adjudication.
3. If the explanation is satisfactory, process the file following the procedures under VI D.1 to D.3.c. or D.4-b.
4. If following VI D.3 (approval of claim), once the applicant has completed everything required of him/her (paying purchase price and survey costs, and directing publication),

submit Form 1870-1 and accompanying memorandum, and case file (Exhibits M and N) to the Director for approval.

5. When the Director returns the form, if the entry has been approved, reject any conflicting claims that are on the status plats and if no appeals are filed, issue the patent.
6. If the entry has not been approved by the Director, issue a decision rejecting the application and denying equitable adjudication.

G. Coding of the case file.

Use the allowable action codes for all actions taken. See IM AK 87-89, Exhibit O.



## Chapter III

## Public Land Order No. 1613

I. Purpose and Authority.

The Act of August 1, 1956, authorized the Secretary of the Interior to replace highway withdrawals in Alaska with highway easements and to dispose of the land released from the withdrawals subject to the easement. Public Land Order No. (PLO) 1613 (April 10, 1958) established procedures whereby adjoining landowners and entrymen had a preference right to purchase the released land at not less than appraised value (Exhibit P). PLO 1613 has never been revoked and applications can still be filed.

II. General Requirements.

All applications must be for a highway lot which adjoins lands that were in private ownership or in valid unperfected entries, locations or settlement claims on the date of PLO 1613, April 10, 1958. A PLO 1613 lot can only go to the center line of the highway as it existed on April 10, 1958. An applicant may be any person or persons who own land adjacent to the highway lot (i.e. corporation, church, individual, married couple).

III. Application.A. Application Form.

There is no officially approved PLO 1613 application form although a simple form has been used by many applicants (Exhibit Q).

B. Adjudication.

(Use a PLO 1613 checklist for each file (Exhibit R))

1. After the application has been filed, a serial number assigned and the records noted, the adjudicator will review the land status of the lands adjacent to the highway lot applied for (hereafter referred to as the backland) to see if the application meets the criteria of PLO 1613. Obtain a copy of the original patent for the backland.
2. If the backland has been subdivided, request a readable subdivisional plat from the applicant(s).
3. Request ownership documentation of the backlands from the applicant(s). The application must match the documentation. If, for instance, only one person applied but the deed says

the backland is owned by two people - then an amended application is necessary, with the second person's signature.

4. If the application does not meet the PLO 1613 criteria, if the applicant is not the current backland owner or if the lands are no longer under jurisdiction of the BLM, reject the application (Exhibits S and T).
5. If the application does meet the criteria take the following steps:
  - a. Request a leaseable minerals report from ASO (985). See Glossary 139a. If the land is valuable, or prospectively valuable, for coal, oil, gas or geothermal steam, issue a mineral reservation decision. See Glossary 155a.
  - b. If the highway lot needs a survey or supplemental survey, request one. Cadastral has asked that we request all necessary supplemental surveys within a surveyed section or township at one time. Send Cadastral any subdivisional plats the applicant(s) has submitted (Exhibit U).
  - c. Once a survey is completed request an appraisal (Exhibit V).
  - d. When the appraisal is received, issue a notice to the applicant(s) requiring conformance to survey, the purchase price and a signed affidavit that he/she still own the backland. (See Exhibit W and Glossary 201a). If the applicant(s) filed on a particular surveyed highway lot, he/she does not have to conform.
  - e. If the applicant does not submit the purchase price within 60 days, the application will be rejected and he/she will lose his/her preference right to apply again.
  - f. When the affidavit and purchase price are received, issue a decision vesting equitable title and rejecting the conflicting claims. See Glossary 160a. Note that a PLO 1613 application does not have to predate other applications to be valid. PLO 1613 applicants have a preference right to that land. In many cases the MTP does not show a village selection. However, if a Village corporation has selected within the section, then the highway lot will be considered selected and we will reject that selection. In the rejection decision all reservations and subject to's are noted which will be in the patent.

- (1) The highway easement will always be in the patent; however check the survey plat to see if the width of the highway lot is the standard 150 feet or if it is less and use the appropriate paragraph.
- (2) Also, the RCA Easement Deed will affect 99% of the highway lots. Do not depend on the MTP description of where the RCA easement is; in most cases, the lots noted are the old highway lots and do not reflect any supplemental surveys. If the supplemental survey is within the old highway lot, the Easement Deed should be in the patent.
- (3) It is also important to look at the original patent to the backland. If the patent was issued pursuant to the small tract laws, and is subject to a right-of-way that provides access to the highway, then this right-of-way must be in the PLO 1613 patent (Solicitor's opinion of June 28, 1985).
- (4) Do not put in the patent any rights-of-way granted after a PLO 1613 application was filed.
- (5) If the land involves interests described in a QCD to the Alaska Railroad, make the PLO 1613 patent subject to:

"any interest conveyed to the Alaska Railroad Corporation by the Quit Claim Deed of January 5, 1985, recorded at page \_\_\_\_\_, book \_\_\_\_\_ in the \_\_\_\_\_ Recording District for the State of Alaska."

Be sure to send a copy (CM-RRR) of the decision to the Alaska Railroad Corporation (see Solicitor's Opinion dated August 5, 1986).

- g. If there are no appeals to the decision patent can issue. (See Glossary 229a and Exhibit X).
  - (1) Once an applicant has paid his purchase price and a receipt issued, equitable title has vested in that applicant and patent must issue to him/her (Robert and Patricia Bailey et. al, 89 IBLA 369 (1985)). This is true even if the applicant sells the backland prior to the patent. Therefore, once the purchase price is paid it is imperative to process the claim as expeditiously as possible. If the applicant dies, the patent is issued to the heirs, devisees, and/or assigns of the applicant once proof of the death is received.

- (2) If a corporation made application for a PLO 1613 lot and, after gaining equitable title, goes defunct, the patent is issued to the "Assignees of \_\_\_\_\_, a dissolved Alaska corporation". At the same time a letter is sent to the State alerting it of a possible escheat situation (Exhibit K). If the applicant is deceased, send a similar letter to the State regarding a possible escheat situation.

6. Use the allowable action codes for all actions taken.

# United States Department of the Interior

## BUREAU OF LAND MANAGEMENT

Anchorage District Office  
4700 East 72nd Avenue  
Anchorage, Alaska 99507

Alaska State Office  
701 C Street, Box 70  
Anchorage, Alaska 99513

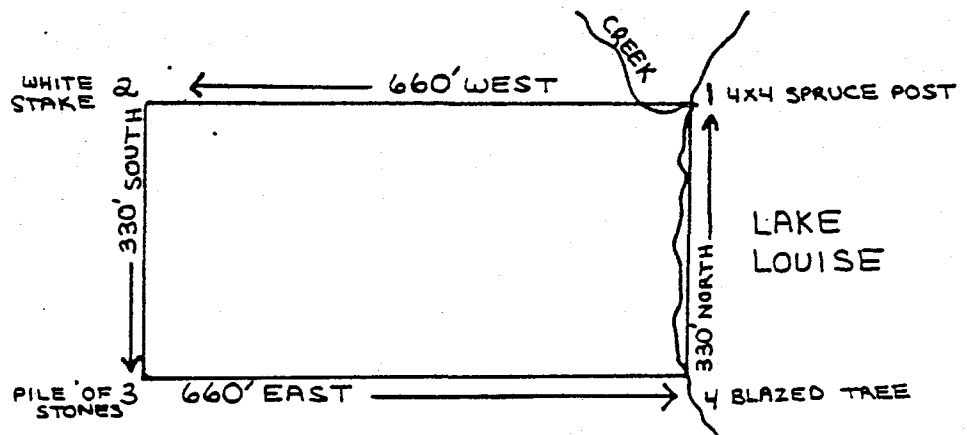
Fairbanks District Office  
P.O. Box 1150  
Fairbanks, Alaska 99707

### HOW TO MARK AND DESCRIBE UNSURVEYED LANDS

Your claim will be unacceptable if the mandatory requirements set forth below are not followed.

- A. It must contain a description of the land by metes and bounds which consists of a definite starting point and continues with directions and distances around the tract back to the point of beginning. A definite point of beginning must be described accurately in relation to a survey monument where possible, or to natural features such as a mouth of a creek or stream, river junctions, mountain peaks, or other prominent point or natural objects appearing on a map of Alaska. An example of a good metes and bounds description is as follows:

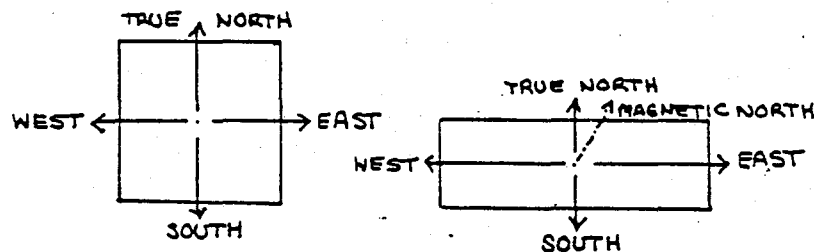
Corner No. 1, a 4x4 spruce post, is located at the mouth of Little Lake Louise Creek on the west shore of Lake Louise at approximate Latitude  $62^{\circ}20'30''$  North and Longitude  $146^{\circ}38'30''$  West; thence 660 feet west to Corner No. 2, marked by a white painted stake; thence 330 feet south to Corner No. 3, marked with a pile of stones; thence 660 feet east to Corner No. 4 on the west shore of Lake Louise, marked by a blazed tree; thence 330 feet north along the meander line of the lake to Corner No. 1, the point of beginning, containing approximately 5 acres.



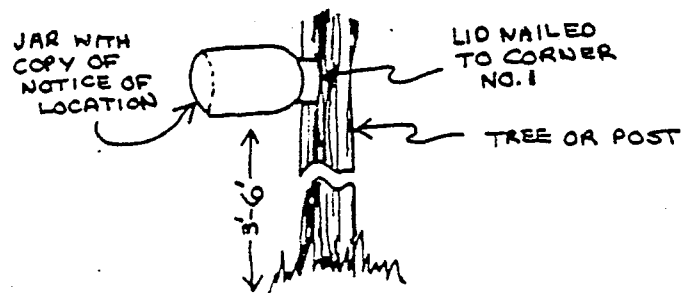
Whenever possible supply a sketch or copy of the United States Geological Survey map showing your location.

- B. A person claiming public lands must mark his claim with substantial monuments. The monuments may be of iron or stone, or of substantial posts well planted in the ground, or of trees or natural objects of a permanent nature, and all monuments shall be surrounded with mounds of stone, or earth when stones are not available (see example under "A"). These monuments must be plainly marked to indicate with certainty the claim to the tract located.

- C. The land should be taken in rectangular form, if practicable, and the lines thereof should follow the cardinal courses (true north, south, east and west) of the compass unless one or more of the boundaries be a stream or other fixed natural object (such as a cliff). Where a stream or natural object forms a boundary, only the approximate course and distance along such a stream or object has to be given, but the other boundaries must be definitely stated and in cardinal directions. A highway or road is not considered a fixed natural object. Narrow strips of land along streams, water courses or other natural objects will be permitted. (A claim will normally not be acceptable if it is more than four times as long as it is wide). Allow for  $30^{\circ}$  magnetic declination between true and compass directions (magnetic north is approximately  $30^{\circ}$  to the right of true or grid north).



- D. The approximate description of the land, by sections, township and range as it will appear when surveyed must be furnished; or, if this cannot be done, a statement must be filed setting forth a valid reason why such a description cannot be given. Most all of Alaska has been covered by a protracted grid system which has enabled this office and the public to describe lands by what they will be when surveyed. This system shown on our protraction diagrams is available for inspection at our office between the hours of 7:30 a.m. and 4:15 p.m., Monday through Friday, and will assist you in meeting the requirements.
- E. Notice of the application, claim, filing or location must be posted in a conspicuous place upon the land.





12 Was a patent received under the filing? <input type="radio"/> Yes <input type="radio"/> No			
13a If notice is for a Trade and Manufacturing Site or a Headquarters Site, what is the kind of trade, manufacturing, or other industry, or use for which this claim is maintained or desired?			
13b If applicant is an association or corporation, has the following been included with the Notice:			
(1) A statement as to the qualifications of each member of the organization. <input type="radio"/> Yes <input type="radio"/> No			
(2) A copy of the document authorizing the signing individual to act for the organization. <input type="radio"/> Yes <input type="radio"/> No			
(3) A copy of the Articles of Incorporation or other document authorizing the organization to hold lands. <input type="radio"/> Yes <input type="radio"/> No			
(4) A certificate from the Secretary of State indicating that the organization is authorized to do business in Alaska. <input type="radio"/> Yes <input type="radio"/> No			
14 Have you served in the United States military service <input type="radio"/> Yes <input type="radio"/> No If yes, complete the following.			
Branch of Service	Dates of Service	Serial Number	Type of Discharge
15 What road or highway is adjacent to the lands described in Item 1? (if none, write "none")			
16 Have you enclosed a filing fee of \$10? <input type="radio"/> Yes <input type="radio"/> No			
<i>I CERTIFY that the answers or statements made by me in this notice are true, complete, and correct to the best of my knowledge and belief and are made in good faith.</i>			
_____		_____	
Date		Signature in full	
Title 18, U.S.C. Section 1001 makes it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious, or fraudulent statements or representations as to any manner within its jurisdiction.			

**Clearance Statement (for Bureau of Land Management use only)**

The official land status records of the Bureau of Land Management show the land described in Item 1 to be available for the type of claim specified in Item 6. Therefore, the settlement appears to be in order and the Claimant may continue to perfect his/her claim. The Application to Purchase must be filed within 5 years from the date this Notice was received in the Bureau of Land Management office. The Serial Number on the face of the Notice could be referred to in all inquiries regarding the claim.

\_\_\_\_\_

Date

\_\_\_\_\_

Signature of Authorized Officer



SETTLEMENT CLAIMS WORKSHEET

Applicant:  
 Serial No.:  
 Case Type:

1. Notice of location filed \_\_\_\_\_  
 date of settlement or occupancy \_\_\_\_\_  
 meet 90 days requirement? \_\_\_\_\_
2. Filing fees received \_\_\_\_\_
3. Mineral reports:
  - a. leaseable requested \_\_\_\_\_  
 received \_\_\_\_\_
  - b. locatable requested \_\_\_\_\_  
 received \_\_\_\_\_
4. Application to purchase filed \_\_\_\_\_
5. Application to Enter filed (homestead) \_\_\_\_\_  
 5a. Entry allowed \_\_\_\_\_
6. Final proof filed \_\_\_\_\_
7. All fees paid \_\_\_\_\_
8. Application filed within 5 years Stat.  
 life? \_\_\_\_\_  
 If not, is equitable adjudication applicable? \_\_\_\_\_
9. Field report \_\_\_\_\_
10. Additional information required? \_\_\_\_\_  
 (Can be before and/or after field report.)
11. Legislatively approved? \_\_\_\_\_
12. Application:
 

	rejected _____	appealed _____
--	----------------	----------------
13. Contest complaint:
 

	issued _____	answered _____
--	--------------	----------------

14. Cost estimate of survey from Cadastral (T&M and Headquarters only) requested \_\_\_\_\_ rec'd \_\_\_\_\_
15. Estimate survey cost (from applicant) requested \_\_\_\_\_ received \_\_\_\_\_
16. Survey requested \_\_\_\_\_
17. Second minerals report - leaseable only \_\_\_\_\_
18. Mineral decision issued (if required) \_\_\_\_\_
19. Plat of survey:  
filed \_\_\_\_\_ survey no. \_\_\_\_\_
- \*20. Publication directed \_\_\_\_\_  
(Only required if not legislatively approved.)
21. Publication documents received:  
a. affidavit from newspaper \_\_\_\_\_  
b. proof of posting \_\_\_\_\_
- \*22. Survey conformance required \_\_\_\_\_  
(After applicant has conformed, send file to T&LS for them to conform on MTP \_\_\_\_\_)
- \*23. Purchase price:  
required \_\_\_\_\_ received \_\_\_\_\_
24. Rejection of conflicting claims \_\_\_\_\_  
appeal \_\_\_\_\_
25. Reconveyance required? \_\_\_\_\_  
(If land TA'd, IC'd, or patented.)
26. Equitable adjudication necessary? \_\_\_\_\_
27. Are any more survey costs required from applicant? \_\_\_\_\_ (Contact Cadastral)
28. Patent \_\_\_\_\_

\*Some of these actions can be taken in one document.



# United States Department of the Interior

BUREAU OF LAND MANAGEMENT Land Office \_\_\_\_\_  
(Anchorage or Fairbanks)

Alaska State Office  
701 C Street, Box 13  
Anchorage, Alaska 99513

Serial Number \_\_\_\_\_

Date \_\_\_\_\_

## APPLICATION TO PURCHASE TRADE AND MANUFACTURING SITE AND PETITION FOR SURVEY

I hereby apply to purchase, and if unsurveyed, petition for survey of, the land described below:

1. Full Name (Print): \_\_\_\_\_

Address: \_\_\_\_\_  
(Street, Route, Box) (City) (State) (Zip Code)

2. Age (check one):  Over 21  Under 21

3. Citizenship Status (check one):  Native Born  Naturalized  
If naturalized, complete the following: Certification Number: \_\_\_\_\_  
Date: \_\_\_\_\_ Title and Location of Court: \_\_\_\_\_

4. Are you an employee, the spouse of an employee, or an agent of an employee of the Department of the Interior? (check one): Yes  No

5. Have you previously applied for land and received patent under the Trade and Manufacturing Site Act: Yes  No  If answer is "yes," give land office serial number: \_\_\_\_\_.

6. Applicant is (check one):  an association of citizens  corporation authorized to hold land in Alaska. (In the case of a corporation, the required proof of incorporation consisting of the certificate of the officer having custody of the records of incorporation at the place of its formation must be attached.)

7. DESCRIPTION OF THE LAND APPLIED FOR (complete appropriate part):

a. The aliquot part description is: \_\_\_\_\_,  
Section \_\_\_\_\_, Township \_\_\_\_\_, Range \_\_\_\_\_, \_\_\_\_\_ Meridian.

b. The tract has been surveyed as: \_\_\_\_\_, U.S. Survey \_\_\_\_\_.

c. The land is unsurveyed and is located and described as:

At corner No. \_\_\_\_\_ of the claim, the approximate latitude is \_\_\_\_\_  
and the approximate longitude is \_\_\_\_\_.

8. a. I have occupied the tract since \_\_\_\_\_, 19\_\_\_\_, and have placed the following improvements on the land (list type, cost, size, construction, etc.):

b. I estimate the total value of the improvements to be \$\_\_\_\_\_.

c. Approximately \_\_\_\_\_ acres are covered by these improvements.

d. Have you attached a sketch showing the location of your improvements? (check one): Yes [ ] No [ ]

9. The land is actually used and occupied for the purpose of trade, manufacture, or other productive industry. The nature of the commercial operation I have conducted on the land is:

10. Have you attached proof or showing in support of you use of the claim? (check one): Yes [ ] No [ ]

11. TO THE BEST OF MY KNOWLEDGE AND BELIEF, I AFFIRM THAT: No portion of the land is occupied or reserved for any purpose by the United States or occupied or claimed by the Natives of Alaska; the land is unoccupied, unimproved, and unappropriated by any person claiming the same except my self; the land does not abut more than 80 rods of navigable water; the land is not included within an area which is reserved because of mineral springs thereon; no part of the land is valuable for mineral deposits other than coal, oil or gas; and at the date of location, no part of the land was claimed under the mining laws. (check one): Yes [ ] No [ ]

12. Have you submitted the \$10.00 service fee? (check one): Yes [ ] No [ ]

\_\_\_\_\_  
(Signature of Applicant)

STATEMENT OF WITNESS

We, the undersigned, affirm that we have each and individually read the foregoing application and know from personal knowledge that the statements made therein are true and correct.

\_\_\_\_\_  
(Signature of Witness)

\_\_\_\_\_  
(Signature of Witness)

\_\_\_\_\_  
(Printed Name of Witness)

\_\_\_\_\_  
(Printed Name of Witness)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Address)



# United States Department of the Interior

BUREAU OF LAND MANAGEMENT Land Office \_\_\_\_\_  
(Anchorage or Fairbanks)

Alaska State Office  
701 C Street, Box 13  
Anchorage, Alaska 99513

Serial Number \_\_\_\_\_

Date \_\_\_\_\_

## APPLICATION TO PURCHASE HOMESITE AND PETITION FOR SURVEY

I hereby apply to purchase, and if unsurveyed, petition for survey of, the land described below:

1. Full Name (Print): \_\_\_\_\_

Address: \_\_\_\_\_  
(Street, Route, Box) (City) (State) (Zip Code)

2. Age (check one):  Over 21  Under 21

3. Citizenship Status (check one):  Native Born  Naturalized  
If naturalized, complete the following: Certification Number: \_\_\_\_\_  
Date: \_\_\_\_\_ Title and Location of Court: \_\_\_\_\_

4. Are you an employee, the spouse of an employee, or an agent of an employee of the Department of the Interior? (check one): Yes  No

5. Have you previously applied for land and received patent under the Homesite Act: Yes  No  If answer is "yes," give land office serial number and necessity for second application: \_\_\_\_\_

6. Are you entitled to credit for military service (43CFR 2096)? Yes  No   
If yes, complete the following: Name of Veteran: \_\_\_\_\_  
Relationship to Claimant: \_\_\_\_\_ Branch of Service: \_\_\_\_\_  
Serial No. \_\_\_\_\_ Induction Date: \_\_\_\_\_ Discharge Date: \_\_\_\_\_  
Type of Discharge: \_\_\_\_\_ Is certified copy of discharge attached? Yes  No

7. DESCRIPTION OF THE LAND APPLIED FOR (complete appropriate part):

a. The aliquot part description is: \_\_\_\_\_,  
Section \_\_\_\_\_, Township \_\_\_\_\_, Range \_\_\_\_\_, \_\_\_\_\_ Meridian.

b. The tract has been surveyed as: \_\_\_\_\_, U.S. Survey \_\_\_\_\_.

c. The land is unsurveyed and is located and described as:

At corner No. \_\_\_\_\_ of the claim, the approximate latitude is \_\_\_\_\_  
and the approximate longitude is \_\_\_\_\_.

8. a. On \_\_\_\_\_, 19\_\_\_\_, I placed the following improvements on the land  
(List type, cost, size, construction, etc.):

b. I estimate the total value of the improvements to be \$\_\_\_\_\_.

c. The house became habitable on \_\_\_\_\_, 19\_\_\_\_.

9. I have resided on the land during the following periods:

From: _____	To: _____
From: _____	To: _____
From: _____	To: _____
From: _____	To: _____

10. Do you maintain a residence other than on this land? Yes [ ] No [ ]  
If yes, give address and period of residence: \_\_\_\_\_

11. TO THE BEST OF MY KNOWLEDGE AND BELIEF, I AFFIRM THAT: No portion of the land is occupied or reserved for any purpose by the United States or occupied or claimed by the Natives of Alaska; the land is unoccupied, unimproved, and unappropriated by any person claiming the same except my self; the land does not abut more than 80 rods of navigable water; the land is not included within an area which is reserved because of mineral springs thereon; no part of the land is valuable for mineral deposits other than coal, oil or gas; and at the date of location, no part of the land was claimed under the mining laws.  
(check one): Yes [ ] No [ ]

If you cannot affirm any portion of the above statement, you should submit a detailed explanation with the application to purchase.

12. Have you submitted the \$10.00 service fee? (check one): Yes [ ] No [ ]

\_\_\_\_\_  
(Signature of Applicant)

STATEMENT OF WITNESS

We, the undersigned, affirm that we have each and individually read the foregoing application and know from personal knowledge that the statements made therein are true and correct.

\_\_\_\_\_  
(Signature of Witness)

\_\_\_\_\_  
(Signature of Witness)

\_\_\_\_\_  
(Printed Name of Witness)

\_\_\_\_\_  
(Printed Name of Witness)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Address)

Title 18 U.S.C., Sec. 1001, makes it a crime for any person to knowingly and willfully make to any United States department or agency any false, fictitious, or fraudulent statements or representations as to any matter within its jurisdiction.



# United States Department of the Interior

BUREAU OF LAND MANAGEMENT Land Office \_\_\_\_\_

Alaska State Office  
701 C Street, Box 13  
Anchorage, Alaska 99513

Serial Number \_\_\_\_\_

Date \_\_\_\_\_

## APPLICATION TO PURCHASE HEADQUARTERS SITE AND PETITION FOR SURVEY

I hereby apply to purchase, and if unsurveyed, petition for survey of, the land described below:

1. Full Name (Print): \_\_\_\_\_

Address: \_\_\_\_\_  
(Street, Route, Box) (City) (State) (Zip Code)

2. Age (check one):  Over 21  Under 21

3. Citizenship Status (check one):  Native Born  Naturalized  
If naturalized, complete the following: Certification Number: \_\_\_\_\_  
Date: \_\_\_\_\_ Title and Location of Court: \_\_\_\_\_

4. Are you an employee, the spouse of an employee, or an agent of an employee of the Department of the Interior? (check one): Yes  No

5. Have you previously applied for land and received patent under the Headquarters Site Act: Yes  No  If answer is "yes," give land office serial number: \_\_\_\_\_

6. DESCRIPTION OF THE LAND APPLIED FOR (complete appropriate part):

- a. The aliquot part description is: \_\_\_\_\_,  
Section \_\_\_\_\_, Township \_\_\_\_\_, Range \_\_\_\_\_, \_\_\_\_\_ Meridian.
- b. The tract has been surveyed as: \_\_\_\_\_, U.S. Survey \_\_\_\_\_.
- c. The land is unsurveyed and is located and described as:

At corner No. \_\_\_\_\_ of the claim, the approximate latitude is \_\_\_\_\_  
and the approximate longitude is \_\_\_\_\_.

7. a. I have occupied the tract since \_\_\_\_\_, 19\_\_\_\_, and have placed the following improvements on the land (list type, cost, size, construction, etc.):

- b. I estimate the total value of the improvements to be \$\_\_\_\_\_.
- c. Approximately \_\_\_\_\_ acres are covered by these improvements.
- d. Have you attached a sketch showing the location of your improvements?  
(check one): Yes [ ] No [ ]
8. The land is actually used and occupied for the purpose of trade, manufacture, or other productive industry, or in relation to employment in such an industry. The nature of the commercial operation is:
9. Describe the location of the tract with respect to the place of business and other facts demonstrating its adaptability to the purpose of a homesite or headquarters:
10. Have you attached proof or showing in support of you use of the claim?  
(check one): Yes [ ] No [ ]
11. TO THE BEST OF MY KNOWLEDGE AND BELIEF, I AFFIRM THAT: No portion of the land is occupied or reserved for any purpose by the United States or occupied or claimed by the Natives of Alaska; the land is unoccupied, unimproved, and unappropriated by any person claiming the same except my self; the land does not abut more than 80 rods of navigable water; the land is not included within an area which is reserved because of mineral springs thereon; no part of the land is valuable for mineral deposits other than coal, oil or gas; and at the date of location, no part of the land was claimed under the mining laws.  
(check one): Yes [ ] No [ ]
12. Have you submitted the \$10.00 service fee? (check one): Yes [ ] No [ ]

\_\_\_\_\_  
(Signature of Applicant)

STATEMENT OF WITNESS

We, the undersigned, affirm that we have each and individually read the foregoing application and know from personal knowledge that the statements made therein are true and correct.

\_\_\_\_\_  
(Signature of Witness)

\_\_\_\_\_  
(Signature of Witness)

\_\_\_\_\_  
(Printed Name of Witness)

\_\_\_\_\_  
(Printed Name of Witness)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Address)

Title 18 U.S.C., Sec. 1001, makes it a crime for any person to knowingly and willfully make to any United States department or agency any false, fictitious, or fraudulent statements or representations as to any matter within its jurisdiction.





## United States Department of the Interior

BUREAU OF LAND MANAGEMENT

9633.1 (965)

Alaska State Office  
701 C Street, Box 13  
Anchorage, Alaska 99513

May 6, 1986

Instruction Memorandum No. AK 86-248  
Expires: 9/30/87

To: DMs, DSDs, 920, 930, 940, 950, and 960

From: State Director, Alaska

Subject: Use of Private Surveyors for Settlement Claims

There are two types of surveys done for settlement claims: the cost surveys for headquarters sites and trade and manufacturing sites (T&M); and the surveys done at BLM's expense for homesteads and homesites. The homestead regulations (43 CFR 2567.6(b)) do provide for the homesteader to pay for the survey if he wishes to secure earlier action.

#### Cost Surveys

At the present time, when a headquarters site or T&M is ready for survey, the office that is adjudicating the file requests from Cadastral Survey a cost estimate for doing the survey. The estimate includes an additional charge for administrative costs (35% of actual estimated costs). Cadastral provides adjudication with the estimate which is sent to the applicant with a notice requiring a deposit for survey. Once the deposit is received, survey is requested and Cadastral is required to survey the claim not later than the next survey season (43 CFR 2562.4).

In handling cost surveys, effective the date of this memorandum, the following procedures will be adopted:

1. Once the claim has been approved, adjudication will request and receive two cost estimates from Cadastral (see attachments A and B). One will cover the estimated cost of the survey if BLM conducts the entire survey itself. The second estimate will include only the costs BLM will charge should the applicant hire his/her own surveyor (this will include the cost of writing the special instructions, the survey monuments and the review process).

2. Adjudication will submit both estimates to the applicant with an explanatory notice that he/she has the option to either hire a private licensed surveyor or have BLM survey the claim (see attachment C). The applicant is to deposit the amount of the estimate for whichever option is taken and provide BLM with the name, address, and telephone number of the surveyor who has agreed to do the survey, if he/she has chosen that option. The notice will also set out the time frame in which both BLM or the private surveyor will have to do the on-the-ground survey (the next surveying season).
3. If the applicant has chosen to have BLM survey the land, adjudication will request survey. If the applicant chooses to hire a private surveyor, a memorandum will be sent to Cadastral using the basic form of a survey request, giving all the necessary information including the private surveyor's name, address and phone number (see attachment D).
4. Once the written instructions are ready, Cadastral will contact the private surveyor to come into the office to go over the instructions and supply the necessary survey monuments.

#### Surveys Done at BLM Expense

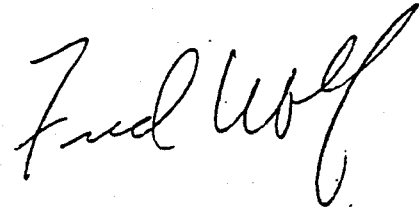
Homesites and Homesteads are currently surveyed at BLM's expense. Since the applicant does not pay, there is no obligation as to when the survey will be done and it may take several years unless the patent plan process dictates otherwise.

Effective the date of this memorandum the following procedures will be adopted:

1. When the claim is determined to be valid, adjudication will write to the applicant, giving him or her an option to have BLM do the survey at no cost to them or to hire a licensed surveyor to survey the claim. The time frame needs to be explained in order for the applicant to know the reason why paying for the survey may be more beneficial. The applicant will be asked to provide the name, address and telephone number of the private surveyor if he/she chooses that method. The applicant will also be asked to send a letter waiving his or her right to a free survey (see attachment E).
2. If the applicant has chosen to have BLM survey the land, adjudication will request survey. If the applicant has chosen to hire a private surveyor, a memorandum will be sent to Cadastral using the basic form of a survey request, giving all the necessary information including the private surveyor's name, address and phone number and also sending a copy of the free survey waiver (see attachment D).

3. Once the written instructions are ready, Cadastral will contact the private surveyor to come into the office to go over the instructions and supply the necessary survey monuments.

For all surveys done by private surveyors, the surveyor will do the work, complete the survey plat, write the field notes and return the plat and field notes and any unused survey monuments to BLM. The plat and field notes will then be reviewed by BLM for completeness and accuracy. If the plat is accepted, the survey will be plotted on the MTP in Anchorage or Fairbanks and filed in all BLM Public Rooms.



Fred Wolf  
Acting State Director

5 Enclosures:

- Encl. 1-Attachment A: Cost Estimate (To be Surveyed by BLM)(1p)
- Encl. 2-Attachment B: Cost Estimate (To be Surveyed by Private Surveyor)(1p)
- Encl. 3-Attachment C: Notice: Deposit for Survey Requested (Example Only)(2pp)
- Encl. 4-Attachment D: Memorandum: Request for Survey to be Completed by a Private Surveyor (Example Only)(2pp)
- Encl. 5-Attachment E: Notice: Claim Ready for Survey (Example Only)(1p)

COST ESTIMATE  
(To Be Surveyed By BLM)

Date .....

Estimated Cost For Surveying \_\_\_\_\_ Serial No. \_\_\_\_\_

	Grade	Wages Per Hour	Estimated Hrs. To Complete	Estimated Cost
Salary: Chief of Party Survey Aids				
Per Diem: Chief of Party Survey Aids				
Transportation:				
Iron post monuments				
Office costs include the following activities:				
Writing Special Instructions				
Typing Special Instructions				
Rough draft field notes and/or sketch plat preparation, by surveyor -				
Critical review of rough draft field notes and/or sketch plat				
Typing rough draft field notes				
Drafting of final plat				
Review of final plat & field notes				
Final typing of field notes				
Total estimate rounded off to nearest \$100.00				

\_\_\_\_\_  
Chief, Branch of Special Instructions,  
Records, and Contracts

If the actual cost of survey exceeds the deposit, the applicant will be required to remit the additional amount; however, if the cost is less than the deposit, the excess will be refunded.

COST ESTIMATE  
(To Be Surveyed By Private Surveyor)

Date \_\_\_\_\_

Estimated Cost For Surveying \_\_\_\_\_ Serial No. \_\_\_\_\_

	Grade	Wages Per Hour	Estimated Hrs. To Complete	Estimated Cost
Iron post monuments				
Office costs include the following activities:				
Writing Special Instructions				
Typing Special Instructions				
Critical review of rough draft field notes and/or sketch plat				
Review of final plat and field notes				
Total estimate rounded off to nearest \$100.00				

\_\_\_\_\_  
Chief, Branch of Special Instructions,  
Records, and Contracts

If the actual cost of survey exceeds the deposit, the applicant will be required to remit the additional amount; however, if the cost is less than the deposit, the excess will be refunded.

Attachment C  
(Example Only)

(SC-1)  
(965)

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

NOTICE

(SC-2)

:

(SC-3)

Deposit for Survey Requested

The land in the above identified claim is unsurveyed, and a special survey will be required before patent can be issued.

There are two options available to you at this time. You may either elect to have the Bureau of Land Management (BLM) survey your claim or you may wish to hire your own private surveyor to survey the claim.

Departmental Regulation 43 CFR 2562.4(a) requires this office to furnish the applicant with an estimate of the cost of field and office work. There are two itemized cost estimates enclosed. One reflects the estimated BLM costs if you want BLM to do the survey; the second one reflects the estimated BLM cost if you want a private surveyor to do the survey. The costs for the second estimate are in addition to what the private surveyor will charge. You are required to submit the estimated amount for whichever option you select. Upon receipt of the deposit, we will issue appropriate instructions for the survey of the claim. Further action cannot be taken to process the application toward patent until the required deposit for survey is received. If the actual cost exceeds the estimated amount, you will be required to remit the additional amount; however, if the cost of survey is less than the deposit, the excess will be refunded.

If you have decided to hire a private surveyor, please submit the name, address and phone number of the surveyor at the time you remit your deposit. Our survey office will write the special instructions and then contact your surveyor.

ATTACHMENT D  
(EXAMPLE ONLY)

Card a

(SC-1)  
(965)

Memorandum

To: Deputy State Director for Cadastral Survey (920)  
From: Chief, Lands Section (965)  
Subject: Request for Survey to be Completed by a Private  
Surveyor

---

Card b

A favorable field report recommends survey of (SC-1). The metes and bounds description of this claim places it in approximately (SC-2). The applicant has decided to hire the following private surveyor to survey the claim:

(SC-3; name, address, phone number)

The applicant also submitted the attached free survey waiver.

---

Card c

A favorable field report recommends survey of (SC-1). The metes and bounds description of this claim places it in approximately (SC-2). The applicant has decided to hire the following private surveyor to survey the claim:

(SC-3; name, address, phone number)

The deposit for the estimated cost of (SC-4) was received (SC-5) from the applicant of the subject claim.

---

Attachment E  
(Example Only)

(SC-1)

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

NOTICE

(SC-2)

:

(SC-3)

Claim Ready for Survey

The land in the above identified claim is unsurveyed, and a special survey, approved by the Bureau of Land Management (BLM), will be required before patent can issue.

Traditionally, BLM has surveyed claims such as yours at no expense to the applicant. However, because BLM pays for the survey, there is no guarantee or obligation that the survey will be completed in a timely manner. You are hereby given an option as to whether you want a free survey from BLM or whether you want to hire a private surveyor in order to secure an earlier survey.

If you wish to hire a private surveyor you will need to submit the surveyor's name, address, and phone number to this office. You will also need to submit a letter to us waiving your right to a free survey.

If you choose to hire a private surveyor, our survey office will write the special instructions and then contact your surveyor.

You are allowed 60 days from the receipt of this notice to inform us of your decision. If we do not hear from you within that time frame we will request survey of your claim at BLM's expense.

Sandra C. Thomas  
Chief, Lands Section



## Publications

In preparing publications for homesteads, T&M's, headquarters and homesites, use ASO forms set up for such publications. For other types of publications (i.e., State selections, etc.), use specific examples provided for preparing notice for publication. The adjudicator will prepare the decision directing publication of the notice. Form ASO 1824-1 may be used to transmit all publications to the newspaper unless the adjudicator prepares something else.

### A. Period of Publications

1. All Trade and Manufacturing Sites, whether they are rectangular net or special survey, are required to be published for 9 weeks.
2. The period of publication for Homesteads, Homesites and Headquarters Sites, is determined by the type of survey.
  - a. If the description provided is a rectangular net description (i.e., section, township, range) the publication period is 5 weeks.
  - b. If the description is a special survey (i.e. United States Survey No. 5449) the publication period is 9 weeks.
3. The period of publication for other publications varies from 4 to 9 weeks and the adjudicator should specify.

### B. Forms

1. Homestead publications require the following forms:
  - a. Rectangular net - ASO 1824-6, 1824-1 and Glossary 12a (Note - No posting on land).
  - b. Special survey - ASO-1824-6, 1824-1, Glossaries 12a and 13a.
    1. ASO 1824-1, Letter to newspaper, prepared in duplicate, original for the entryman and cc for case file.
    2. Glossary 12a, Notice for Publication, prepare 8 copies, original for newspaper, 1 cc is for applicant, 1 cc stamped POST ON LAND, 1 cc is stamped in caps POST IN LAND OFFICE, 5 copies regular for distribution.

3. Glossary 13a, Affidavit of Posting, prepared in duplicate, original for entryman and cc for case file.
  4. ASO 1824-6, Notice Directing Publication, prepare 5 copies, original for entryman and 5 cc for regular distribution. Always use entryman's last address of record and if represented by an attorney send to applicant in care of attorney with cc to applicant. (Adjudicator will advise typist when this is necessary.)
2. T&M Site, Headquarters and Homesite require the following forms:
- a. Rectangular Net - ASO 1824-1, Glossaries 12a and 13a, ASO 1824-3.
  - b. Special Survey - ASO-1824-1, Glossaries 12a and 13a, ASO-1824-3.

C. Assembly of Publication Papers

1. Applicant's Package (Staple together)  
Original - ASO 1824-3 or 1824-6 (Notice - Publication Directed)  
Copy - Glossary 12a (Notice for Publication)  
Copy - Glossary 13a (Affidavit of Posting) (if appropriate)  
(applicant's copy - stamp Chief, Lands Section name)
2. Newspaper Package (Staple together) - applicant will mail to newspaper  
Original - ASO 1824-1 (Letter to Newspaper)  
Original - Glossary 12a (Notice for Publication)
3. Applicant Package to Post on Land (Staple together)
  - a. If Homestead with rectangular net description does not need posting - No packageOR
  - b. Homestead Special Survey
    - (1) Glossary 13a Affidavit of Posting
    - (2) Glossary 12a - Notice for Publication  
(Stamp POST ON LAND)
    - (3) Copy - Survey plat (Stamp POST ON LAND)

OR

- c. Homesites, Headquarters, T&M - Rectangular Net Survey
- (1) Glossary 13a - Affidavit of Posting
  - (2) Copy Glossary 12 a - Notice for Publication  
(Stamp POST ON LAND)

OR

- d. Homesites, Headquarters, T&M - Special Survey
- (1) Glossary 13a - Affidavit of Posting
  - (2) Copy Glossary 12a - Notice for  
Publication (Stamp POST ON LAND)
  - (3) Copy of Application to Purchase from  
case file (Stamp POST ON LAND)
  - (4) Copy of survey plat (Stamp POST ON LAND)

D. Copies Distribution

1. Copy "Notice for Publication" route slip to  
post in Public Room
2. Copy "Notice - Publication Directed" route slip to  
receiving in Public Room (where money requested)
3. Copy "Notice - Publication Directed" route slip to  
accounting (where money requested)
4. Copies distributed as noted on documents in  
packages of Examples:

Regular distribution as follows:

- a. Case File (Yellow)
- b. Reading File (Blue for BLM-ASO)
- c. Copy for Branch Chief (965) (Blue)
- d. Adjudicator's Copy (White)
- e. Copy for appropriate Branch File (Blue)  
(Stamp Branch Chief's, name or acting on copies for  
mailing) Be sure to date stamp

Prepare large envelope to hold publication when assembled. The Certified Card should be set up to show 120 days suspense period for 5-week publication and 160 day suspense period for 9-week publication. This will avoid unnecessary handling of case file. Adjudicators will provide survey plats, draft forms and any other enclosures with instructions concerning them. It is the adjudicator's responsibility to make sure the publication package is put together correctly before putting it in for review and signature.

## Publication Package

In preparing a publication package for T&M Sites, Headquarters and Homesites use the following forms and document codes:

ASO 1824-1 (Letter to Newspaper)	1 original; 2 copies
ASO 1824-3 (Notice Publication Directed)	1 original; 5 copies
Glossary 12a (Notice for Publication)	1 original; 9 copies
Glossary 13a (Affidavit of Posting)	1 original; 2 copies

Do the same for Homesteads except use form ASO 1824-6 instead of ASO 1824-3. If money is requested two (2) extra copies of form ASO 1824-3 or 1842-6 are required.

### Distribution

1. All of the following is to be sent to applicant: staple each of the following sets together:

For the applicant:

- a. AK 1824-3 or AK 1824-6 - 1 original
- Glossary 12a - 1 copy (Notice for Pub.)
- Glossary 13a - 1 original (Affidavit of Posting) (if applicable)

For the applicant to send to newspaper:

- b. AK 1824-1 - 1 original
- Glossary 12a - 1 original

For posting on land (if applicable):

- c. Glossary 12a - 1 copy
- Plat - adjudicator will attach
- Purchase application - adjudicator will attach.

2. Regular Distribution:

- \*a. adjudicator copy (white) (one of everything)
- \*b. Case file (yellow) (one of everything)
- \*\*c. BLM Reading file (blue) (items run on system)
- \*d. Branch Chief file (blue) (one of everything)

3. Copy Glossary 12a route slip to post in Public Room

4. Copy AK 1824-3 or 6 route slip to receiving in Public Room (where money requested)

5. Copy AK 1824-3 or 6 route slip to accounting (where money requested)

- 
- \* (a), (b) and (d) get one copy of each document and form.  
\*\* (c) get only 1 copy AK 1824-3 or (AK 1824-6) and 1 copy Glossary 12a.

965\*AMcAllister:0042d



# United States Department of the Interior

## BUREAU OF LAND MANAGEMENT

Alaska State Office  
701 C Street, Box 13  
Anchorage, Alaska 99513

Serial No. \_\_\_\_\_  
Type \_\_\_\_\_  
Entryman \_\_\_\_\_  
Address \_\_\_\_\_  
\_\_\_\_\_  
Number of Weeks \_\_\_\_\_

Gentlemen:

Enclosed is a notice for publication of the claim identified above. This notice is to be published once each week in consecutive weekly issues (the same day each week) for the number of weeks indicated. You will look to the entryman for the payment of his publication.

At the expiration of the period of publication, please file proof of the publication.

It is requested that a copy of the first published notice be sent to this office and to the applicant.

Sincerely yours,

Chief, Branch of \_\_\_\_\_  
Adjudication

Enclosures:  
Notice for Publication

IN REPLY REFER TO



# United States Department of the Interior

## BUREAU OF LAND MANAGEMENT

Alaska State Office  
701 C Street, Box 13  
Anchorage, Alaska 99513

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

### NOTICE

:	Serial No.	_____
:	Type	_____
:	Survey No.	_____
:	Purchase Price	\$ _____

### Publication Directed

Publication of the notice of filing of application to purchase the lands in the above-identified settlement claim is hereby directed.

You should fulfill the following requirements immediately:

1. Deliver to the designated newspaper the letter of instructions and Notice for Publication. You are responsible for the cost of publication.
2. Post a copy of the Notice of Publication on the lands claimed during the entire period of publication.
3. If a special survey is involved, also post a copy of the application to purchase and the plat of survey, together with the Notice for Publication, in a conspicuous place on the land claimed during the entire period of publication.

Within 60 days from receipt of this notice, you must furnish evidence that:

1. Publication has been initiated.
2. The required papers have been posted on the land.

Evidence of publication may consist of a copy of the notice taken from the newspaper; evidence of posting may consist of your statement that you posted the documents as directed.

When publication has been completed, you must:

1. Furnish an affidavit from the newspaper showing the the notice was published for the required period.
2. Submit proof that the required documents were posted on your claim during the entire period of publication. Such proof of posting may consist of statements from you and one witness, who, of his own knowledge, can attest that the documents were posted as directed. (Enclosed form may be used.)
3. Pay the purchase price listed above.

If the survey does not include you improvements or is not correct, you must submit a description which adequately accommodates your claim within 30 days of receipt of this notice. If you are submitting a corrected description, do not begin publication. Once publication is directed, you will be considered conformed to survey.

Failure to comply with this notice will result in cancellation of the entry.

Chief, Branch of \_\_\_\_\_  
Adjudication

Enclosures:

\_\_\_\_\_  
\_\_\_\_\_



A-063529 (2780)  
(965)

NOV 24 1986

State of Alaska  
Department of Natural Resources  
Division of Land and Water Management  
Land Title Section  
3601 C Street, Suite 960  
Anchorage, Alaska 99503

Gentlemen:

This letter is in regard to corrected patent number 50-87-0072 that the Bureau of Land Management (BLM) recently issued to the Assignees of General Supply Co., Inc. Upon recommendation from the Regional Solicitor's Office we are alerting you to a possible escheat situation where the newly patented property to the Assignees of the now dissolved General Supply Co., Inc., can go to the stockholders, creditors, and possibly the State of Alaska for ultimate distribution.

On April 11, 1958, Public Land Order No. (PLO) 1613 gave existing private landowners and persons with applications to acquire public lands a preference right to purchase land adjoining their property up to the center line of the Glenn Highway. On October 21, 1965, General Supply Co., Inc., filed an application to purchase the land between the center line of the Glenn Highway and lot 7, block 1, Henkins Subdivision, Sec. 30, T. 15 N., R. 1 W., Seward Meridian. A supplemental survey was completed and the subject land is now described as lot 117, Sec. 30, T. 15 N., R. 1 W., Seward Meridian, containing 0.34 acre. The purchase price was received in this office on October 21, 1965, and a receipt for the purchase price was issued. At that time, equitable title for the subject land was vested in General Supply Co., Inc. (then an existing corporation). United States v. Detroit Timber & Lumber Co., 200 U.S. 321, 337-338 (1906); and Doran v. Kennedy, 237 U.S. 362, 367 (1915).

The Interior Board of Land Appeals (IBLA) issued a decision on November 22, 1985 (Robert and Patricia Bailey et. al., 89 IBLA 369 (1985)), which held that once the purchase price is paid and a receipt issued to the adjoining landowner under PLO 1613, equitable title vested and the United States is "obligated to perform its duty to issue the patent" to that applicant. Furthermore, events subsequent to such vesting can have no bearing upon the claimant's right to patent.

The records of the Corporation Section of the Alaska State Department of Commerce and Economic Development indicate that General Supply Co., Inc., was legally dissolved on November 15, 1968, in accordance with AS 10.05.519(c), Alaska Statutes, for failure to file an annual corporation report for 1966, and for failure to pay its 1967 franchise tax license fees and penalty. Such corporation was not timely reinstated pursuant to AS 10.05.519(d).

Based on the November 22, 1985, IBLA Decision, supra, and the enclosed Regional Solicitor's Opinion of April 22, 1983 (Minfield Children's Home, Inc., A-033114, Patent No. 1182317), the corrected patent for lot 117 was issued to the Assignees of General Supply Co., Inc.

It should be noted that the current backland owners adjacent to lot 117, Forest and Mary Burlew, applied to BLM to purchase lot 117 on August 23, 1984 (AA-54193). They were part of the consolidated appellants in Robert and Patricia Bailey et al, supra. Based on IBLA's November 22, 1985, decision, the Burlews' claim was cancelled by notice on April 28, 1986, and their case file was closed.

If you have any questions in this matter, please contact our office.

Sincerely yours,

*Sandra C. Thomas*

Sandra C. Thomas  
Chief, Lands Section

Enclosures:  
Regional Solicitor's Opinion of  
April 22, 1983  
IBLA decision of  
November 22, 1985  
Corrected patent No. 50-87-0072

cc:

Forest and Mary Burlew  
SR 1, Box 1014  
Old Glenn Highway  
Chugiak, Alaska 99567

Bob Mothershead, Regional  
Solicitor's Office

65:EDuLac:evl:11/21/86:1517c

RECEIVED

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

AUG 10 1985

TRANSMITTAL OF CONTEST OR OTHER PROCEEDING FOR HEARING

To: Administrative Law Judge

Salt Lake City, Utah

(City and State)

The proceeding identified herein and in the accompanying official records is transmitted to you for hearing and decision, pursuant to the rules of practice (43 CFR, Part 4) and/or other governing authority.

I. Parties

Contestant(s) or Proponent(s)

United States of America  
through BLM

VS. Contestee(s) or Respondent(s)

Ronald J. C. Hayes  
Box 1711  
Anchorage, Alaska 99510

2. Kind of proceeding  
Contest of Trade & Manufacturing Site

3. Contest or other numbers:  
A-061989

Date proceeding commenced  
August 15, 1985

State: Alaska  
Number(s): A-061989

4. Lands are located in  
Chitina Recording District, 9 miles north-  
west of Mount Drum.

5. Number of claims, entries, or leases involved  
ONE

6. Date for hearing

7. Suggested place for hearing  
 County seat  
 Other (explain in remarks)

10. Costs to BLM (applies only to BLM contests):  
 Are reimbursable  
 Are not reimbursable

9. Filing of motion by Government, if a party, for prehear-  
ing conference  
 Is anticipated  
 Is not anticipated

11. Remarks

Suggested place for hearing: Anchorage, Alaska

Attorney for Contestee:

Rand Dawson  
P. O. Box 111646  
Anchorage, Alaska 99511

Signature

*Rand Dawson*  
Chief, Branch of Lands

August 7, 1985  
Copy to: Assistant Director (300)  
Regional Solicitor  
701 C Street, Box 34  
Anchorage, Alaska 99513

Attachments: Related Official Files  
A-061989 (Official file for Admin. Law Judge)  
A-061989 (BLM case file for Regional Solicitor)

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

State Office Serial Number

AA-2616

EQUITABLE ADJUDICATION

1. Kind of entry	Date of entry	Date of final proof
Trade & Manufacturing Site	1-5-68	1-29-73

2. Description of noncompliance

Jay S. Hammond filed Notice of Location AA-2616 on January 5, 1968, for a trade and manufacturing site. On January 4, 1973, the 5 year statutory life of his claim expired. See 43 CFR 2562.3(c). Mr. Hammond filed an application to purchase and petition for survey on January 29, 1973, 25 days after the statutory life of his claim expired.

3. Reason or excuse for noncompliance

Mr. Hammond submitted a statement of reasons for noncompliance with his application to purchase in which he stated that "While I fulfilled the obligations for use and occupancy at my Kejulik River T and M location some time ago, in making inquiry regarding application to purchase I was advised no such purchase would be permitted until resolution of the land claims and the lifting of the land freeze. Now that these have been accomplished, I wish to file the attached application to purchase."

4. The law has been complied with in all respects, except in the particulars shown in Item 3 above, the case is a meritorious one, and I recommend that the entry be confirmed.

MAY 03 1985

/s/ Mary Jane Clawson

(Date)

(Manager)

5. I concur

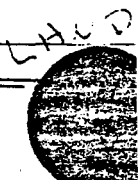
(Date)

(Lands Staff Officer)

6. The entry is confirmed

(Date)

(Director)



AA-2616 (2562)  
(965)

MAY 03 1985

## Memorandum

To: Director (311), Room 3653

From: State Director, Alaska

Subject: Equitable Adjudication--Trade and Manufacturing Site  
of Jay S. Hammond

Jay S. Hammond filed Notice of Location AA-2616 on January 5, 1968, for a trade and manufacturing site. On January 4, 1973, the 5 year statutory life of his claim expired as provided by 43 CFR 2562.3(c). Mr. Hammond filed an application to purchase and petition for survey on January 29, 1973, 25 days after the statutory life of his claim expired.

With his application to purchase, Mr. Hammond submitted a statement of reasons for noncompliance in which he stated that "while I fulfilled the obligations for use and occupancy at my Kejulik River T and M location some time ago, in making inquiry regarding application to purchase I was advised no such purchase would be permitted until resolution of the land claims and the lifting of the land freeze. Now that these have been accomplished, I wish to file the attached application to purchase."

Departmental regulation 43 CFR 1871 provides for approval, based on the principles of equity and justice, of claims such as Mr. Hammond's where the law has been substantially complied with, legal notice has been given, and no legal adverse claims have been filed; but where full compliance with the law has not been effected due to ignorance, a mistake, an obstacle over which the claimant had no control, or any other sufficient reason not indicating bad faith.

Mr. Hammond has shown good faith in pursuing his trade and manufacturing site claim and, except for timely filing his application to purchase, has met all requirements of the law:

and regulations. We believe he has satisfactorily explained his failure to comply with this requirement and recommend your favorable consideration under the principles of equitable adjudication.

/s/ Robert W. Amdorfer

Attachment:  
Form 1870-1



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Alaska State Office  
701 C Street, Box 13  
Anchorage, Alaska 99513

2562  
2563  
2567  
(965)

December 31, 1986

Instruction Memorandum No. AK 87-89  
Expires: 9/30/87

To: DSD's, DM's

From: State Director, Alaska

Subject: Allowable Action Code Dictionary for Homesites,  
Headquarters and T&M Sites, and Homesteads

Attached are three dictionaries of the AALMRS action codes to be used with Homesite (2563.02), Headquarter and Trade and Manufacturing (T&M) Site (2563.01 and 2562.00), and Homestead (2567) case types. The action codes are arranged in numerical order, and each code includes an explanation of how it is used and by whom. An alphabetical listing is also included.

The action codes enable any user of the AALMRS to trace the history of these settlement claims and determine the current status from the case file abstract. The remarks block expands on issues when necessary.

After the initial distribution of the dictionaries, a limited number of copies will be available from Joe Labay (960) and Conveyance Management personnel located in Fairbanks.

The responsible unit codes (e.g., AJF, Adjudication Fairbanks) have not been updated to reflect the new organization. This is a system-wide problem which will be adjusted later. Employees entering data to these and all other case types will continue to use their previous office designation until instructed otherwise.

Harold E. Wolverson  
Deputy State Director,  
Conveyance Management  
Acting



3 Attachments:

- 1 - Action Code Dictionary, Homesites (12pp)
- 2 - Action Code Dictionary, Headquarters and T&M Sites  
(12pp)
- 3 - Action Code Dictionary, Homesteads (13 pp)

Distribution:

D-DSC (D-558A)

USER GUIDE TO HOMESITE DICTIONARY

1. The dictionary is set up numerically by action code. For cross reference, see the attached alphabetical listing.

Responsibility

The office responsible for coding into the system. For a complete listing, on an AALMRS terminal, key: HELP RU; and press ENTER.

(AIA = Adjudication Alaska State Office)

(AMA = Area Manager Arctic Resource Area)

(AJF = Adjudication Fairbanks District Office)

(AMP = Area Manager Peninsula Resource Area)

(AID = Adjudication Anchorage District Office)

(DMA = District Manager, Anchorage)

Definitions and/or Remarks

Explanation of nomenclature and/or use of action code.

2. No new action codes are anticipated at this time; however, a need for a new action could arise and will be added as necessary. If you care to check for an updated code list, key: ACN CASE 256302 and press ENTER into a terminal for a current read out.

Action Code Dictionary  
for Homeites (2563.02)

Action Code	Nomenclature	Responsibility	Definitions and/or Remarks
009	Field Report Approved	AM-(A,G,M,N,P,Y)	Use when final approval is given on field report whether AM or DM. (See 210)
010	Mineral Exam Requested	AJF/DMA	Use for on-the-ground exams. Requested by District mineral staff in ADO/ASO.
014	Mineral Exam Rpt Approved	AM-(A,G,M,N,P,Y)	Use for on-the-ground exams.
019	Interim Report Written	AM-(A,G,M,N,P,Y)	Use for reports written prior to filing of purchase application.
023	Supplmntl Fld Rpt Rqstd	AJA/AJF/AJD	Use when original field report is not adequate for today's problems.
024	Supplmntl Fld Rpt Cmpltd	AM-(A,G,M,N,P,Y)	Use the date the report is approved.
039	Applicant Deceased	AJA/AJF/AJD	Self-explanatory.
042	Exclusion Survey Reqstd	AJA/AJF/AJD	To be used only if in a survey window and the claim is not approved. (See 327)
043	Special Instr Approved	Cadastral	Controlled by Cadastral.
044	1st Amended Special Inst	Cadastral	Controlled by Cadastral.
045	2nd Amended Special Inst	Cadastral	Controlled by Cadastral.
046	1st Suppl Special Instr	Cadastral	Controlled by Cadastral.
047	2nd Suppl Special Instr	Cadastral	Controlled by Cadastral.

048	3rd Suppl Special Instr	Cadastral	Controlled by Cadastral.
049	4th Suppl Special Instr	Cadastral	Controlled by Cadastral.
050	5th Suppl Special Instr	Cadastral	Controlled by Cadastral.
051	Assigned to Surveyor	Cadastral	Controlled by Cadastral.
052	Field Survey Commenced	Cadastral	Controlled by Cadastral.
053	Field Survey Completed	Cadastral	Controlled by Cadastral.
054	Draft Notes Written	Cadastral	Controlled by Cadastral.
055	Returned to Field	Cadastral	Controlled by Cadastral.
056	Critical Review Made	Cadastral	Controlled by Cadastral.
057	Final Notes Typed	Cadastral	Controlled by Cadastral.
058	Plat Drafted	Cadastral	Controlled by Cadastral.
059	Final Review Made	Cadastral	Controlled by Cadastral.
060	Delivered for Acceptance	Cadastral	Controlled by Cadastral.
061	Modification Required	Cadastral	Controlled by Cadastral.
062	Plats/Notes Acct Div Ch	Cadastral	Controlled by Cadastral.
063	Plats Rcvd from Micrfilm	Cadastral	Controlled by Cadastral.
080	Corrective Pat Issued	AJA/AJF/AJD	Use if an error was found in the original patent and corrective patent is issued. (See 271)

088	Min Rpt Rcvd w/Val Loc	AJA/AJF/AJD	USGS, MMO or Resources Report. (See 014 for on-the-ground exam).
089	Min Rpt Rcvd w-o/Val Loc	AJA/AJF/AJD	USGS, MMO or Resources Report. (See 014 for on-the-ground exam).
090	Min Rpt Rcvd w/Val Lse	AJA/AJF/AJD	USGS, MMO or Resources Report. (See 253)
091	Min Rpt Rcvd w-o/Val Lse	AJA/AJF/AJD	USGS, MMO or Resources Report.
097	Congressnl Inq Answered	AJA/AJF/AJD	Self-explanatory.
098	Audited Not Locked	AJA/AJF/AJD	Self-explanatory. (See 100)
099	Case Closed-Title Trsf	AJA/AJF/AJD	Self-explanatory. (See 146)
100	Audited to Date Locked	AJA/AJF/AJD	Use when all information has been entered for a case file and there will be no more changes. (See 098)
103	Addtnl Evidence Received	AJA/AJF/AJD	This is evidence of use and occupancy only.
104	Addtnl Evidence Required	AJA/AJF/AJD	Self-explanatory.
106	Additional Monies Rqrd	AJA/AJF/AJD	Self-explanatory
107	Srvy-Conformance Rcvd	AJA/AJF/AJD	Use last date applicant could object if no response is received.
108	Srvy Conformance Notice	AJA/AJF/AJD	Use when applicant is told his survey number and given a chance to respond.
114	Amended/Crrctd Apln Rcvd	AJA/AJF/AJD	Use when something other than land description is changed. (see 374)
115	Amended/Crrctd Apln Rqst	AJA/AJF/AJD	Use when something other than land description needs changing (see 375).

119	Appeal Dismissed	AJA/AJF/AJD	Use when BLM or IBLA dismisses an appeal.
120	Appeal Filed	AJA/AJF/AJD	Self-explanatory.
122	Extension Request Filed	AJA/AJF/AJD	Use when applicant requests additional time to submit information. (See 203, 488)
125	Rejected	AJA/AJF/AJD	Self-explanatory. (See 400, 373)
126	Rejected in Part	AJA/AJF/AJD	Self-explanatory. (See 400, 373)
127	Suspended	AJA/AJF/AJD	Use when Notice suspending is issued because applicant won't submit info or because it awaits title recovery.
129	Purchase Appln Rqrd	AJA/AJF/AJD	Use when notice is sent. (See 301)
146	Case Closed-No Conveynce	AJA/AJF/AJD	Use the date file is closed, not when decision final. (See 099).
148	Litigation Filed	AJA/AJF/AJD	Includes appeals to District/Circuit Court, quiet title actions because of publication, etc.
151	Quit Claim Deed Received	AJA/AJF/AJD	Use when QCD on title reconveyance is received. (See 494).
155	Reconsidertn Reqst Denied	AJA/AJF/AJD	Use when applicant's request for reconsideration of a decision (BLM or IBLA) is denied. (See 441)
161	Contest Sent Adm Law Jdg	AJA/AJF/AJD	After a contest complaint is answered we send it to an ALJ. (See 178)
163	Casefile Sent FRC/Arch	ADO/DAL/DFD	Case file sent for storage outside Alaska.
171	Change of Name Received	AJA/AJF/AJD	Self-explanatory.

178	Contest Complnt Answered	AJA/AJF/AJD	Use when answer to the complaint (government or private) is filed with the proper office. (See 161)
179	Contest Complnt Dismssd	AJA/AJF/AJD	Use the date of the ALJ decision.
180	Contest Filed - Govt	AJA/AJF/AJD	Use when Federal government (BLM) issues contest complaint. (See 295)
181	Contest Filed-Private	AJA/AJF/AJD	Use when non-Federal person or entity files contest complaint.
188	Decision Vacated	AJA/AJF/AJD	Use when BLM vacates a decision - not IBIA. (See 365)
203	Extension Approved	AJA/AJF/AJD	Extension of time to submit additional info given. (See 122, 488)
210	Field Report Requested	AJA/AJF/AJD	Self-explanatory. (See 009)
222	Hearing Held	AJA/AJF/AJD	Self-explanatory.
223	Hearing Ordered	AJA/AJF/AJD	Self-explanatory.
246	Loc Notice Acknowledged	AJA/AJF/AJD	Self-explanatory.
247	Loc Notice Filed	AJA/AJF/AJD	Self-explanatory. (See 403)
248	Loc Notice Unacceptable	AJA/AJF/AJD	Self-explanatory.
249	Loc Notice Unaccept In Pt	AJA/AJF/AJD	Self-explanatory.
253	Mineral Res Dec Issued	AJA/AJF/AJD	Use when leasable minerals are reserved to the U.S. (See 090)
255	Mil Svc Notice Filed	AJA/AJF/AJD	Use when military service record is filed.

266	Protest Withdrawn	AJA/AJF/AJD	Self-explanatory. (See 298, 299)
271	Patent Issued	AJA/AJF/AJD	Self-explanatory. (See 080)
281	Equitable Adj Rqstd	AJA/AJF/AJD	Use when request forwarded to Washington, D.C. (See 707, 708)
282	Reinst Pet Apprvd	AJA/AJF/AJD	Self-explanatory. (See 284)
283	Reinst Pet Denied	AJA/AJF/AJD	Self-explanatory. (See 284)
284	Reinst Pet Filed	AJA/AJF/AJD	Self-explanatory. (See 282, 283, 308)
291	Proof of Publ Received	AJA/AJF/AJD	Self-explanatory. (See 300)
295	Prp Govt Ctst to Reg Sol	AJA/AJF/AJD	Self-explanatory. (See 180)
298	Protest Dismissed	AJA/AJF/AJD	If protest is invalid it must be dismissed prior to patent. (See 266)
299	Protest Filed	AJA/AJF/AJD	Self-explanatory. (See 266, 298)
300	Publ Directed Newspaper	AJA/AJF/AJD	Self-explanatory. (See 291)
301	Purchase Apln Received	AJA/AJF/AJD	Self-explanatory. (See 129)
302	Purchase Price Received	AJA/AJF/AJD	Self-explanatory.
303	Purchase Price Required	AJA/AJF/AJD	Self-explanatory.
310	Relinquishment Accepted	AJA/AJF/AJD	Use when notice is sent accepting the relinquishment.
311	Relinquishment Filed	AJA/AJF/AJD	Self-explanatory.



312	Relinquishmnt In Part Filed	AJA/AJF/AJD	Self-explanatory.
313	Relinquishmnt Unacceptable	AJA/AJF/AJD	Use when we send a notice that we can't accept the relinquishment (e.g., signed by wrong person or a conditional relinquishment).
317	Reg Sol Opinion Rqstd	AJA/AJF/AJD	Self-explanatory. (See 492)
321	Statutory Life Expired	AJA/AJF/AJD	Use date five years after location notice filed if no final proof filed.
326	Survey Plat Filed	T&R	Self-explanatory.
327	Survey Requested	AJA/AJF/AJD	Use when approval given. (See 042)
342	Mineral Report Rqstd	AJA/AJF/AJD	USGS, MMO OR Resources Report (See 010 for on-the-ground exam). (See 088, 089, 090, 091, 088)
347	Filing Fee Rcvd/Rfnd	AJA/AJF/AJD	Self-explanatory.
361	Decision Affirmed	AJA/AJF/AJD	Use for IBLA decisions.
362	Dec Affrmd Part/Rvsd Prt	AJA/AJF/AJD	Use for IBLA decisions.
363	Dec Affrmd as Modified	AJA/AJF/AJD	Use for IBLA decisions.
365	Dec Remand Further Actn	AJA/AJF/AJD	Use for IBLA decisions. (See 487)
366	Dec Reversed & Remanded	AJA/AJF/AJD	Use for IBLA decisions.
369	Decision Modified	AJA/AJF/AJD	Use for BLM decisions. (See 363 for IBLA.)
373	Held for Reject/Cancel	AJA/AJF/AJD	Self-explanatory. (See 125, 126, 400)

374	Amended/Corrected Desc Rcvd	AJA/AJF/AJD	Use for land description only. See 114 for application.
375	Amended/Corrected Desc Rqstd	AJA/AJF/AJD	Use for land description only. See 115 for application.
379	Refund Authorized	AJA/AJF/AJD	Use the date Adjudication signs the accounting form to have it processed.
385	Adverse Claim Filed	AJA/AJF/AJD	Use when someone files an adverse claim, after publication.
388	Reinstated/Reopened	AJA/AJF/AJD	Self-explanatory. (See 284)
392	Other Monies Rcvd/Rfnd	AJA/AJF/AJD	The applicant may submit money that isn't required.
400	Held for Rej in Part	AJA/AJF/AJD	Self-explanatory. (See 373, 125, 126)
403	Claim Located or Posted	AJA/AJF/AJD	Use the date shown on the Notice of Location (not date stamp). (See 247)
441	Reconsideration Rqstd	AJA/AJF/AJD	Use date we/IBIA receive applicant's request that BLM or IBIA reconsider its decision. (See 155)
487	Remand Requested	AJA/AJF/AJD	Use date BLM asks IBIA or ALJ to remand the case (not just return the file). (See 365, 366)
488	Extension Denied	AJA/AJF/AJD	Use when BLM or IBIA denies request for additional time to submit additional evidence; establish residency or file statement of reasons on appeal. (See 203, 122)
491	Litigation Completed	AJA/AJF/AJD	Self-explanatory.

492	Reg Sol Opinion Rcvd	AJA/AJF/AJD	Self-explanatory. (See 317, 295)
494	Title Accepted by U.S.	AJA/AJF/AJD	Use after QCD has been reviewed and is accepted.
517	Rejected-Other	AJA/AJF/AJD	Use when a top filing (i.e., State or ANCSA selection) is rejected.
550	Legislatively Approved	AJA/AJF/AJD	Self-explanatory.
572	Srvy Req Returned to Adj	AJA/AJF/Cadastral	Self-explanatory.
577	Srvy Rqst Resubmitted	AJA/AJF/AJD	Self-explanatory.
623	Decision Issued	AJA/AJF/AJD	Use for ALJ decision in contest proceeding.
654	Ind Conv/IC-Tlt Rcvy Req	AJA/AJF/AJD	Use the date of the Interim Conveyance.
655	Ind Conv/PA-Tlt Rcvy Req	AJA/AJF/AJD	Use the date of the patent.
656	Ind Conv/TA-Tlt Rcvy Req	AJA/AJF/AJD	Use the date of the state selection tentative approval.
657	Title Recovery Commenced	AJA/AJF/AJD	The date adjudicative action begins (e.g., voluntary reconveyance is requested).
707	Equit Adj Denied	AJA/AJF/AJD	Use the date of Washington, D.C. decision.
708	Equit Adj Approved	AJA/AJF/AJD	Use the date of Washington, D.C. decision.
723	Survey Option Requested	AJA/AJF/AJD	Self-explanatory.
724	Survey Option Rcvd Pvt	AJA/AJF/AJD	Self-explanatory.

Alphabetical Listing of Allowable Action Codes for Homesites (2563.02)

Code	Nomenclature	Code	Nomenclature	Code	Nomenclature
144	1st Amended Special Inst	181	Contest Filed-Private	400	Held for Rej in Part
146	1st Suppl Special Instr	161	Contest Sent Adm Law Jdg	373	Held for Reject/Cancel
145	2nd Amended Special Inst	080	Corrective Pat Issued	019	Interim Report Written
147	2nd Suppl Special Instr	056	Critical Review Made	550	Legislatively Approved
148	3rd Suppl Special Instr	362	Dec Affrmd Part/Rvsd Prt	491	Litigation Completed
149	4th Suppl Special Instr	363	Dec Affrmd as Modified	148	Litigation Filed
150	5th Suppl Special Instr	365	Dec Remand Further Actn	654	Lnd Conv/IC-Tlt Rcvy Req
03	Addnl Evidence Received	366	Dec Reversed & Remanded	655	Lnd Conv/PA-Tlt Rcvy Req
04	Addnl Evidence Required	361	Decision Affirmed	656	Lnd Conv/TA-Tlt Rcvy Req
06	Additional Monies Rqrd	623	Decision Issued	246	Loc Notice Acknowledged
185	Adverse Claim Filed	369	Decision Modified	247	Loc Notice Filed
14	Amended/Crrctd Apln Rcvd	188	Decision Vacated	248	Loc Notice Unacceptable
15	Amended/Crrctd Apln Rqst	060	Delivered for Acceptance	249	Loc Notice Unaccept in Pt
174	Amended/Crrctd Desc Rcvd	054	Draft Notes Written	255	Min Svc Notice Filed
175	Amended/Crrctd Desc Rqst	708	Equit Adj Approved	089	Min Rpt Rcvd w-o/Val Loc
19	Appeal Dismissed	707	Equit Adj Denied	091	Min Rpt Rcvd w-o/Val Lse
20	Appeal Filed	281	Equitable Adj Rqstd	088	Min Rpt Rcvd w/Val Loc
139	Applicant Deceased	042	Exclusion Survey Reqstd	090	Min Rpt Rcvd w/Val Lse
151	Assigned to Surveyor	203	Extension Approved	010	Mineral Exam Requested
198	Audited Not Locked	488	Extension Denied	014	Mineral Exam Rpt Apprvd
00	Audited to Date Locked	122	Extension Request Filed	342	Mineral Report Rqstd
46	Case Closed-No Conveynce	009	Field Report Approved	253	Mineral Res Dec Issued
199	Case Closed-Title Trnsf	210	Field Report Requested	061	Modification Required
163	Casefile Sent FRC/Arch	052	Field Survey Commenced	392	Other Monies Rcvd/Rfnd
171	Change of Name Received	053	Field Survey Completed	271	Patent Issued
103	Claim Located/or Posted	347	Filing Fee Rcvd/Rfnd	058	Plat Drafted
197	Congressnl Inq Answered	057	Final Notes Typed	063	Plats Rcvd from Microfilm
78	Contest Complnt Answered	059	Final Review Made	062	Plats/Notes Accept Div Ch
179	Contest Complnt Dismssd	222	Hearing Held	291	Proof of Publ Received
80	Contest Filed - Govt	223	Hearing Ordered	298	Protest Dismissed

<u>Code</u>	<u>Nomenclature</u>	<u>Code</u>	<u>Nomenclature</u>
299	Protest Filed	572	Srvy Req Returned to Adj
266	Protest Withdrawn	577	Srvy Rqst Resubmitted
295	Prp Govt Ctst to Reg Sol	321	Statutory Life Expired
300	Publ Directed Newspaper	024	Supplmntl Fld Rpt Cmpltd
301	Purchase Apln Received	023	Supplmntl Fld Rpt Rqstd
129	Purchase Appln Rqrd	724	Survey Option Rcvd Pvt
302	Purchase Price Received	723	Survey Option Requested
303	Purchase Price Required	326	Survey Plat Filed
151	Quit Claim Deed Received	327	Survey Requested
441	Reconsideration Rqstd	127	Suspended
155	Reconsidertrn Reqst Denied	494	Title Accepted by U.S.
379	Refund Authorized	657	Title Recovery Commenced
317	Reg Sol Opinion Rqstd		
492	Reg Sol Opinion Rcvd		
282	ReInst Pet Apprvd		
283	ReInst Pet Denied		
284	ReInst Pet Filed		
308	Reinstated/Reopened		
125	Rejected		
126	Rejected in Part		
517	Rejected-Other		
310	Relinquishment Accepted		
311	Relinquishment Filed		
312	Relnqshmnt In Part Filed		
313	Relnqshmnt Unacceptable		
487	Remand Requested		
055	Returned to Field		
043	Special Instr Approved		
108	Srvy Conformance Notice		
107	Srvy Conformance Rcvd		

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Action Code Dictionary  
Headquarters (2563.01) and T&M Sites (2562.00)

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151	Quit Claim Deed Received	AJA/AJF/AJD	Use when QCD on title reconveyance is received (not accepted - see 494).
155	Reconsidertn Reqst Denied	AJA/AJF/AJD	Use when applicant's request for reconsideration of a decision (BLM or IBLA) is denied. (See 441)
161	Contest Sent Adm Law Jdg	AJA/AJF/AJD	After a contest complaint is answered we send it to an ALJ. (See 178)
163	Casefile sent FRC/Arch	ADO/DAI/DFD	Case file sent for storage outside Alaska.
171	Change of Name Received	AJA/AJF/AJD	Self-explanatory.

178	Contest Complnt Answered	AJA/AJF/AJD	Use when answer to the complaint (government or private) is filed with the proper office. (See 161)
179	Contest Complnt Dismsd	AJA/AJF/AJD	Use the date of the ALJ decision.
180	Contest Filed - Govt	AJA/AJF/AJD	Use when Federal government (BLM) issues contest complaint. (See 295)
181	Contest Filed-Private	AJA/AJF/AJD	Use when non-Federal person or entity files contest complaint.
188	Decision Vacated	AJA/AJF/AJD	Use when BLM vacates a decision - not IDLA. (See 365)
203	Extension Approved	AJA/AJF/AJD	Extension of time to submit additional info given. (See 122, 488)
210	Field Report Requested	AJA/AJF/AJD	Self-explanatory. (See 009)
222	Hearing Held	AJA/AJF/AJD	Self-explanatory.
223	Hearing Ordered	AJA/AJF/AJD	Self-explanatory.
246	Loc Notice Acknowledged	AJA/AJF/AJD	Self-explanatory.
247	Loc Notice Filed	AJA/AJF/AJD	Self-explanatory. (See 403)
248	Loc Notice Unacceptable	AJA/AJF/AJD	Self-explanatory.
249	Loc Notice Unaccept in Pt	AJA/AJF/AJD	Self-explanatory.
253	Mineral Res Dec Issued	AJA/AJF/AJD	Use when leasable minerals are reserved to the U.S. (See 090)
266	Protest Withdrawn	AJA/AJF/AJD	Self-explanatory. (See 298, 299)

271	Patent Issued	AJA/AJF/AJD	Self-explanatory. (See 080, 519)
281	Equitable Adj Rqstd	AJA/AJF/AJD-	Use when request forwarded to Washington, D.C. (See 707, 708)
282	Reinst Pet Apprvd	AJA/AJF/AJD	Self-explanatory. (See 284)
283	Reinst Pet Denied	AJA/AJF/AJD	Self-explanatory. (See 284)
284	Reinst Pet Filed	AJA/AJF/AJD	Self-explanatory, (See 282, 283, 388)
291	Proof of Publ Received	AJA/AJF/AJD	Self-explanatory. (See 300)
295	Prp Govt Ctst to Reg Sol	AJA/AJF/AJD	Self-explanatory. (See 180)
298	Protest Dismissed	AJA/AJF/AJD	If protest is invalid it must be dismissed prior to patent. (See 266)
299	Protest Filed	AJA/AJF/AJD	Self-explanatory. (See 266, 298)
300	Publ Directed Newspaper	AJA/AJF/AJD	Self-explanatory. (See 291)
301	Purchase Apln Received	AJA/AJF/AJD	Self-explanatory. (See 129)
302	Purchase Price Received	AJA/AJF/AJD	Self-explanatory.
303	Purchase Price Required	AJA/AJF/AJD	Self-explanatory.
304	Survey Deposit Required	AJA/AJF/AJD	Self-explanatory.
310	Relinquishment Accepted	AJA/AJF/AJD	Use when notice is sent accepting the relinquishment.
311	Relinquishment Filed	AJA/AJF/AJD	Self-explanatory.

312	Relinquishmt in Part Filed	AJA/AJF/AJD	Self-explanatory.
313	Relinquishmt Unacceptable	AJA/AJF/AJD	Use when we send a notice that we can't accept the relinquishment (e.g., signed by wrong person or a conditional relinquishment).
317	Reg Sol Opinion Rqstd	AJA/AJF/AJD	Self-explanatory. (See 492)
321	Statutory Life Expired	AJA/AJF/AJD	Use date five years after location notice filed if no final proof filed.
322	Survey Cost Rcvd/Rfnd	AJA/AJF/AJD/Cadastral	After survey use if applicant either submits additional funds or receives a refund.
323	Survey Cost Required	AJA/AJF/AJD/Cadastral	To be used after survey is completed and applicant needs to submit additional funds.
324	Survey Estimate Received	AJA/AJF/AJD	Date received from Cadastral Survey.
325	Survey Estimate Requestd	AJA/AJF/AJD	Date memo is sent to Cadastral Survey.
326	Survey Plat Filed	T&R	Self-explanatory.
327	Survey Requested	AJA/AJF/AJD	Use when approval given. (See 042).
329	Srvy Deposit Rcvd/Rfnd	AJA/AJF/AJD/Cadastral	Survey deposit must be received before survey is requested.
342	Mineral Report Rqstd	AJA/AJF/AJD	USGS, MMO OR Resources Report (See 010 for on-the-ground exam). (See 088, 089, 090, 091)
347	Filing Fee Rcvd/Rfnd	AJA/AJF/AJD	Self-explanatory.
361	Decision Affirmed	AJA/AJF/AJD	Use for IBLA decisions.

362	Dec Affrmd Part/Rvrsd Prt	AJA/AJF/AJD	Use for IBLA decisions.
363	Dec Affrmd as Modified	AJA/AJF/AJD	Use for IBLA decisions.
365	Dec Remand Further Actn	AJA/AJF/AJD	Use for IBLA decisions. (See 487)
366	Dec Reversed & Remanded	AJA/AJF/AJD	Use for IBLA decisions.
369	Decision Modified	AJA/AJF/AJD	Use for BLM decisions. (See 363 for IBLA.)
373	Held for Reject/Cancel	AJA/AJF/AJD	Self-explanatory. (See 125, 126, 400)
374	Amended/Crrctd Desc Rcvd	AJA/AJF/AJD	Use for land description only. See 114 for application.
375	Amended/Crrctd Desc Rqst	AJA/AJF/AJD	Use for land description only. See 115 for application.
379	Refund Authorized	AJA/AJF/AJD	Use the date Adjudication signs the accounting form to have it processed.
385	Adverse Claim filed	AJA/AJF/AJD	Use when someone files an adverse claim, after publicati
388	Reinstated/Reopened	AJA/AJF/AJD	Self-explanatory. (See 284)
392	Other Monies Rcvd/Rfnd	AJA/AJF/AJD	The applicant may submit money that isn't required.
400	Held for Rej in Part	AJA/AJF/AJD	Self-explanatory. (See 373, 125, 126)
403	Claim Located or Posted	AJA/AJF/AJD	Use the date shown on the Notice of Location (not date stamp). (See 247)
441	Reconsideration Rqstd	AJA/AJF/AJD	Use date we/IBLA receive applicant's request that BLM or IBLA reconsider its decision. (See 155)
487	Remand Requested	AJA/AJF/AJD	Use date BLM asks IBLA or ALJ to remand the case (not just return the file). (See 365, 366)

488	Extension Denied	AJA/AJF/AJD	Use when BLM or IBLA denies request for additional time to submit additional evidence; or file statement of reasons on appeal. (See 203, 122)
491	Litigation Completed	AJA/AJF/AJD	Self-explanatory.
492	Reg Sol Opinion Rcvd	AJA/AJF/AJD	Self-explanatory. (See 317, 295)
494	Title Accepted by U.S.	AJA/AJF/AJD	Use after QCD has been reviewed and is accepted.
517	Rejected-Other	AJA/AJF/AJD	Use when a top filing (i.e., State or ANCSA selection) is rejected.
519	Patent Issued in Part	AJA/AJF/AJD	When remaining lands require reconveyance. (See 271)
550	Legislatively Approved	AJA/AJF/AJD	Self-explanatory.
572	Srvy Req Returned to Adj	AJA/AJF/AJD/Cadastral	Self-explanatory.
577	Srvy Rqst Resubmitted	AJA/AJF/AJD	Self-explanatory.
623	Decision Issued	AJA/AJF/AJD	Use when decision issued by ALJ in contest proceeding.
654	Lnd Conv/IC-Tlt Rcvy Req	AJA/AJF/AJD	Use the date of the Interim Conveyance.
655	Lnd Conv/PA-Tlt Rcvy Req	AJA/AJF/AJD	Use the date of the patent.
656	Lnd Conv/TA-Tlt Rcvy Req	AJA/AJF/AJD	Use the date of the state selection tentative approval.
657	Title Recovery Commenced	AJA/AJF/AJD	The date adjudicative action begins (e.g., voluntary reconveyance is requested).
707	Equit Adj Denied	AJA/AJF/AJD	Use the date of Washington, D.C. decision.
708	Equit Adj Approved	AJA/AJF/AJD	Use the date of Washington, D.C. decision.
723	Survey Option Requested	AJA/AJF/AJD	Self-explanatory.
724	Survey Option Rcvd Pvt	AJA/AJF/AJD	Self-explanatory.

Alphabetical Listing of Allowable Action Codes for Headquarters and T&M Sites

Code	Nomenclature	Code	Nomenclature	Code	Nomenclature
044	1st Amended Special Inst	181	Contest Filed-Private	400	Held for Rej In Part
046	1st Suppl Special Instr	161	Contest Sent Adm Law Jdg	373	Held for Reject/Cancel
045	2nd Amended Special Inst	080	Corrective Pat. Issued	019	Interim Report Written
047	2nd Suppl Special Instr	056	Critical Review Made	550	Legislatively Approved
048	3rd Suppl Special Instr	363	Dec Affrmd as Modified	491	Litigation Completed
049	4th Suppl Special Instr	362	Dec Affrmd Part/Rvsd Prt	148	Litigation Filed
050	5th Suppl Special Instr	365	Dec Remand Further Actn	654	Ind Conv/IC-Tlt Rcvy Req
106	Additional Monies Rqrd	366	Dec Reversed & Remanded	655	Ind Conv/PA-Tlt Rcvy Req
103	Addnl Evidence Received	361	Decision Affirmed	656	Ind Conv/TA-Tlt Rcvy Req
104	Addnl Evidence Required	623	Decision Issued	246	Loc Notice Acknowledged
385	Adverse Claim filed	369	Decision Modified	248	Loc Notice Unacceptable
114	Amended/Crrctd Apln Rcvd	188	Decision Vacated	249	Loc Notice Unacct in Pt
115	Amended/Crrctd Apln Rqst	060	Delivered for Acceptance	247	Loc Notice Filed
374	Amended/Crrctd Desc Rcvd	054	Draft Notes Written	089	Min Rpt Rcvd w-o/Val Loc
375	Amended/Crrctd Desc Rqst	708	Equit Adj Approved	091	Min Rpt Rcvd w-o/Val Lse
119	Appeal Dismissed	707	Equit Adj Denied	088	Min Rpt Rcvd w/Val Loc
120	Appeal Filed	281	Equitable Adj Rqstd	090	Min Rpt Rcvd w/Val Lse
039	Applicant Deceased	042	Exclusion Survey Reqstd	010	Mineral Exam Requested
051	Assigned to Surveyor	203	Extension Approved	014	Mineral Exam Rpt Apprvd
098	Audited not Locked	488	Extension Denied	342	Mineral Report Rqstd
100	Audited to Date Locked	122	Extension Request Filed	253	Mineral Res Dec Issued
146	Case Closed-No Conveynce	009	Field Report Approved	061	Modification Required
099	Case Closed/Title Trsf	210	Field Report Requested	392	Other Monies Rcvd/Rfnd
163	Casefile sent FRC/Arch	052	Field Survey Commenced	271	Patent Issued
171	Change of Name Received	053	Field Survey Completed	519	Patent Issued In Part
403	Claim Located or Posted	347	Filing Fee Rcvd/Rfnd	058	Plat Drafted
097	Congressnl Inq Answered	057	Final Notes Typed	063	Plats Rcvd from Microfilm
178	Contest Complnt Answered	059	Final Review Made	062	Plats/Notes Acct Div Ch
179	Contest Complnt Dismsd	222	Hearing Held	291	Proof of Publ Received
180	Contest Filed - Govt	223	Hearing Ordered	298	Protest Dismissed



Code	Nomenclature	Code	Nomenclature
299	Protest Filed	322	Survey Cost Rcvd/Rfnd
266	Protest Withdrawn	323	Survey Cost Required
295	Prp Govt Ctst To Reg Sol	304	Survey Deposit Required
300	Publ Dircted Newspaper	324	Survey Estimate Received
301	Purchase Apln Received	325	Survey Estimate Requestd
129	Purchase Appln Rqrd	724	Survey Option Rcvd Pvt
302	Purchase Price Received	723	Survey Option Requested
303	Purchase Price Required	326	Survey Plat Filed
151	Quit Claim Deed Received	327	Survey Requested
441	Reconsideration Rqstd	127	Suspended
155	Reconsidern Reqst Denied	494	Title Accepted by U.S.
379	Refund Authorized	657	Title Recovery Commenced
492	Reg Sol Opinion, Rcvd		
317	Reg Sol Opinion Rqstd		
282	Reinst Pet Apprvd		
283	Reinst Pet Denied		
284	Reinst Pet Filed		
388	Reinstated/Reopened		
125	Rejected		
126	Rejected In Part		
517	Rejected-Other		
310	Relinquishment Accepted		
311	Relinquishment Filed		
312	Relnqshmnt In Part Filed		
313	Relnqshmnt Unacceptable		
487	Remand Requested		
055	Returned to Field		
043	Special Instr Approved		
108	Srvy Conformance Notice		
107	Srvy-Conformance Rcvd		
329	Srvy Deposit Rcvd/Rfnd		
572	Srvy Req Returned to Adj		
577	Srvy Rqst Resubmitted		
321	Statutory Life Expired		
024	Supplmntl Fld Rpt Cmpltd		
023	Supplmntl Fld Rpt Rqstd		

USER GUIDE TO HOMESTEAD DICTIONARY

1. The dictionary is set up numerically by action code. For cross reference, see the attached alphabetical listing.

Responsibility

The office responsible for coding into the system. For a complete listing, on an AALNRS terminal, key: HELP RU; and press ENTER.

(AJA = Adjudication Alaska State Office)

(AMA = Area Manager Arctic Resource Area)

(AJF = Adjudication Fairbanks District Office)

(AMP = Area Manager Peninsula Resource Area)

(AJD = Adjudication Anchorage District Office)

(DMA = District Manager, Anchorage)

Definitions and/or Remarks

Explanation of nomenclature and/or use of action code.

2. No new action codes are anticipated at this time; however, a need for a new action code could arise and will be added as necessary. If you care to check for an updated code list, key: ACN CASE 256700 and press ENTER into a terminal for a current read out.

Action Code Dictionary  
for Homesteads (2567.00)

Action Code	Nomenclature	Responsibility	Definitions and/or Remarks
009	Field Report Approved	AM-(A,G,M,N,P,Y)	Use when final approval is given on field report whether AM or DM. (See 210)
010	Mineral Exam Requested	AJF/DMA	Use for on-the-ground exams. Requested by District mineral staff in ADO/ASO.
014	Mineral Exam Rpt Apprvd	AM-(A,G,M,N,P,Y)	Use for on-the-ground exams.
019	Interim Report Written	AM-(A,G,M,N,P,Y)	Use for reports written prior to filing of final proof.
023	Supplmntl Fld Rpt Rqstd	AJA/AJF/AJD	Use when original field report is not adequate for today's problems.
024	Supplmntl Fld Rpt Cmpltd	AM-(A,G,M,N,P,Y)	Use the date the report is approved.
039	Applicant Deceased	AJA/AJF/AJD	Self-explanatory.
042	Exclusion Survey Reqstd	AJA/AJF/AJD	To be used only if in a survey window and the claim is not approved. (See 327)
043	Special Instr Approved	Cadastral	Controlled by Cadastral.
044	1st Amended Special Inst	Cadastral	Controlled by Cadastral.
045	2nd Amended Special Inst	Cadastral	Controlled by Cadastral.
046	1st Suppl Special Instr	Cadastral	Controlled by Cadastral.
047	2nd Suppl Special Instr	Cadastral	Controlled by Cadastral.

048	3rd Suppl Special Instr	Cadastral	Controlled by Cadastral.
049	4th Suppl Special Instr	Cadastral	Controlled by Cadastral.
050	5th Suppl Special Instr	Cadastral	Controlled by Cadastral.
051	Assigned to Surveyor	Cadastral	Controlled by Cadastral.
052	Field Survey Commenced	Cadastral	Controlled by Cadastral.
053	Field Survey Completed	Cadastral	Controlled by Cadastral.
054	Draft Notes Written	Cadastral	Controlled by Cadastral.
055	Returned to Field	Cadastral	Controlled by Cadastral.
056	Critical Review Made	Cadastral	Controlled by Cadastral.
057	Final Notes Typed	Cadastral	Controlled by Cadastral.
058	Plat Drafted	Cadastral	Controlled by Cadastral.
059	Final Review Made	Cadastral	Controlled by Cadastral.
060	Delivered for Acceptance	Cadastral	Controlled by Cadastral.
061	Modification Required	Cadastral	Controlled by Cadastral.
062	Plats/Notes Accept Div Ch	Cadastral	Controlled by Cadastral.
063	Plats Rcvd from Microfilm	Cadastral	Controlled by Cadastral.
080	Corrective Pat Issued	AJA/AJF/AJD	Use if an error was found in the original patent and corrective patent is issued. (See 271)

088	Min Rpt Rcvd w/Val Loc	AJA/AJF/AJD	USGS, MMO or Resources Report. ° (See 014 for on-the-ground exam)
089	Min Rpt Rcvd w-o/Val Loc	AJA/AJF/AJD	USGS, MMO or Resources Report. (See 014 for on-the-ground exam)
090	Min Rpt Rcvd w/Val Lse	AJA/AJF/AJD	USGS, MMO or Resources Report. (See 253)
091	Min Rpt Rcvd w-o/Val Lse	AJA/AJF/AJD	USGS, MMO or Resources Report.
097	Congressnl Inq Answered	AJA/AJF/AJD	Self-explanatory.
098	Audited Not Locked	AJA/AJF/AJD	Self-explanatory. (See 100)
099	Case Closed-Title Trsf	AJA/AJF/AJD	Self-explanatory. (See 146)
100	Audited to Date Locked	AJA/AJF/AJD	Use when all information has been entered for a case file and there will be no more changes. (See 098)
103	Addnl Evidence Received	AJA/AJF/AJD	This is evidence of use and occupancy only.
104	Addnl Evidence Required	AJA/AJF/AJD	Self-explanatory.
106	Additional Monies Rqrd	AJA/AJF/AJD	Could include monies filed with final proof.
107	Srvy Conformance Rcvd	AJA/AJF/AJD	Use last date applicant could object if no response is received.
108	Srvy-Conformance Notice	AJA/AJF/AJD	Use when applicant is told his survey number and given a chance to respond.
114	Amended/Crrctd Apln Rcvd	AJA/AJF/AJD	Use when something other than land description is changed. (See 374).

115	Amended/Crrctd Apln Rqst	AJA/AJF/AJD	Use when something other than land description needs changing. (See 375)
119	Appeal Dismissed	AJA/AJF/AJD	Use when BIM or IBLA dismisses an appeal.
120	Appeal Filed	AJA/AJF/AJD	Self-explanatory.
121	Entry Allowed in Part	AJA/AJF/AJD	Self-explanatory. (See 197)
122	Extension Request Filed	AJA/AJF/AJD	Use when applicant requests additional time to establish residency or submit information. (See 203,488)
125	Rejected	AJA/AJF/AJD	Self-explanatory. (See 400,373)
126	Rejected in Part	AJA/AJF/AJD	Self-explanatory. (See 400,373)
127	Suspended	AJA/AJF/AJD	Use when Notice suspending is issued because applicant won't submit info or because it awaits title recovery.
146	Case Closed-No Conveynce	AJA/AJF/AJD	Use the date file is closed, not when decision is final. (See 099)
148	Litigation Filed	AJA/AJF/AJD	Includes appeals to District/Circuit Court, quiet title actions because of publication, etc.
151	Quit Claim Deed Received	AJA/AJF/AJD	Use when QCD on title reconveyance is received (not accepted). (See 494)
155	Reconsldrtn Reqst Denied	AJA/AJF/AJD	Use when applicant's request for reconsideration of a decision (BIM or IBLA) is denied. (See 441)
161	Contest Sent Adm Law Jdg	AJA/AJF/AJD	After a contest complaint is answered we send it to an ALJ. (See 178)
163	Casefile Sent FRC/Arch	ADO/DAL/DFD	Case file sent for storage outside Alaska.

171	Change of Name Received	AJA/AJF/AJD	Self-explanatory.
178	Contest Complnt Answered	AJA/AJF/AJD	Use when answer to the complaint (government or private) is filed with the proper office. (See 161)
179	Contest Complnt Dismissed	AJA/AJF/AJD	Use the date of the ALJ decision.
180	Contest Filed - Govt	AJA/AJF/AJD	Use when Federal government (BIM) issues contest complaint. (See 295)
181	Contest Filed-Private	AJA/AJF/AJD	Use when non-Federal person or entity files contest complaint.
188	Decision Vacated	AJA/AJF/AJD	Use when BIM vacates a decision - not IBIA. (See 365)
197	Entry Allowed	AJA/AJF/AJD	Self-explanatory. (See 121)
198	Entry Application Recvd	AJA/AJF/AJD	Self-explanatory.
203	Extension Approved	AJA/AJF/AJD	Extension of time to submit additional info - or establish residency given. (See 122,488)
210	Field Report Requested	AJA/AJF/AJD	Self-explanatory. (See 009)
213	Final Proof Filed	AJA/AJF/AJD	Self-explanatory. (See 106)
214	Final Proof Rejected	AJA/AJF/AJD	Self-explanatory.
215	Final Proof Required	AJA/AJF/AJD	Self-explanatory. (See 106)
222	Hearing Held	AJA/AJF/AJD	Self-explanatory.
223	Hearing Ordered	AJA/AJF/AJD	Self-explanatory.

229	Reduced Requirmnts Rqstd	AJA/AJF/AJD	Applicant requests cultivation requirements be reduced.
230	Dec/Reduction Denied	AJA/AJF/AJD	(See 229)
231	Dec/Reduction Approved	AJA/AJF/AJD	(See 229)
246	Loc Notice Acknowledged	AJA/AJF/AJD	Self-explanatory.
247	Loc Notice Filed	AJA/AJF/AJD	Self-explanatory. (See 403)
248	Loc Notice Unacceptable	AJA/AJF/AJD	Self-explanatory.
249	Loc Notice Unaccept in Pt	AJA/AJF/AJD	Self-explanatory.
253	Mineral Res Dec Issued	AJA/AJF/AJD	Use when leasable minerals are reserved to the U.S. (See 090)
255	Mil Svc Notice Filed	AJA/AJF/AJD	Use when military service record is filed.
266	Protest Withdrawn	AJA/AJF/AJD	Self-explanatory. (See 298,299)
271	Patent Issued	AJA/AJF/AJD	Self-explanatory. (See 080)
272	Patent Cancelled	AJA/AJF/AJD	Self-explanatory.
281	Equitable Adj Rqstd	AJA/AJF/AJD	Use when request forwarded to Washington, D.C. (See 707,708)
282	Reinst Pet Apprvd	AJA/AJF/AJD	Self-explanatory. (See 284)
283	Reinst Pet Denied	AJA/AJF/AJD	Self-explanatory. (See 284)
284	Reinst Pet Filed	AJA/AJF/AJD	Self-explanatory. (See 282,283,388)
285	Prof Right Exercised	AJA/AJF/AJD	Use when someone who filed a private contest and won (preference right applicant) notifies BLM of intent to proceed to patent.



286	Preference Right Given	AJA/AJF/AJD	Use when someone who filed a private contest and won is notified of his preference right.
291	Proof of Publ Received	AJA/AJF/AJD	Self-explanatory. (See 300)
295	Prp Govt Ctst to Reg Sol	AJA/AJF/AJD	Self-explanatory. (See 180)
298	Protest Dismissed	AJA/AJF/AJD	If protest is invalid it must be dismissed prior to patent. (See 266)
299	Protest Filed	AJA/AJF/AJD	Self-explanatory. (See 266,298)
300	Publ Directed Newspaper	AJA/AJF/AJD	Self-explanatory. (See 291)
302	Purchase Price Received	AJA/AJF/AJD	Self-explanatory.
303	Purchase Price Required	AJA/AJF/AJD	Self-explanatory.
310	Relinquishment Accepted	AJA/AJF/AJD	Use when notice is sent accepting the relinquishment.
311	Relinquishment Filed	AJA/AJF/AJD	Self-explanatory.
312	Relnqshmnt In Part Filed	AJA/AJF/AJD	Self-explanatory.
313	Relnqshmnt Unacceptable	AJA/AJF/AJD	Use when we send a notice that we can't accept the relinquishment (e.g., signed by wrong person), or a conditional relinquishment.
317	Reg Sol Opinion Rqstd	AJA/AJF/AJD	Self-explanatory. (See 492)
321	Statutory Life Expired	AJA/AJF/AJD	Use date five years after location notice filed if no final proof filed.
322	Survey Cost Rcvd/Rfnd	AJA/AJF/AJD	Self-explanatory.
326	Survey Plat Filed	T&R	Self-explanatory.

327	Survey Requested	AJA/AJF/AJD	Use when approval given. (See 042)
342	Mineral Report Rqstd	AJA/AJF/AJD	USGS, MMO OR Resources Report. (See 010 for on-the-ground exam). (See 088,089,090,091)
347	Filing Fee Rcvd/Rfnd	AJA/AJF/AJD	Self-explanatory.
361	Decision Affirmed	AJA/AJF/AJD	Use for IBLA decisions.
362	Dec Affrmd Part/Rvrd Prt	AJA/AJF/AJD	Use for IBLA decisions.
363	Dec Affrmd as Modified	AJA/AJF/AJD	Use for IBLA decisions.
365	Dec Remand Further Actn	AJA/AJF/AJD	Use for IBLA decisions. (See 487)
366	Dec Reversed & Remanded	AJA/AJF/AJD	Use for IBLA decisions.
369	Decision Modified	AJA/AJF/AJD	Use for BLM decisions.
373	Held for Reject/Cancel	AJA/AJF/AJD	Self-explanatory. (See 125,126,400)
374	Amended/Crrctd Desc Rcvd	AJA/AJF/AJD	Use for land description only. See 114 for application.
375	Amended/Crrctd Desc Rqst	AJA/AJF/AJD	Use for land description only. See 115 for application.
379	Refund Authorized	AJA/AJF/AJD	Use the date Adjudication signs the accounting form to have it processed.
385	Adverse Claim Filed	AJA/AJF/AJD	Use when someone files an adverse claim, after publication.
388	Reinstated/Reopened	AJA/AJF/AJD	Self-explanatory. (See 284)
392	Other Monies Rcvd/REnd	AJA/AJF/AJD	The applicant may submit money that isn't required. (See 106)

400	Held for ReJ In Part	AJA/AJF/AJD	Self-explanatory. (See 373,125,126)
403	Claim Located or Posted	AJA/AJF/AJD	Use the date shown on the Notice of Location (not date stamp). (See 247)
441	Reconsideration Rqstd	AJA/AJF/AJD	Use date we/IBIA receive applicant's request that BLM or IBIA reconsider its decision. (See 155)
487	Remand Requested	AJA/AJF/AJD	Use date BLM asks IBIA or ALJ to remand the case (not just return the file). (See 365,366)
488	Extension Denied	AJA/AJF/AJD	Use when BLM or IBIA denies request for additional time to submit additional evidence; establish residency or file statement of reasons on appeal. (See 203,122)
491	Litigation Completed	AJA/AJF/AJD	Self-explanatory.
492	Reg Sol Opinion Rcvd	AJA/AJF/AJD	Self-explanatory. (See 317,295)
494	Title Accepted by U.S.	AJA/AJF/AJD	Use after QCD has been reviewed and is accepted.
517	Rejected-Other	AJA/AJF/AJD	Use when a top filing (i.e., State or ANCSA selection) is rejected.
519	Patent Issued In Part	AJA/AJF/AJD	When remaining lands require reconveyance. (See 271)
550	Legislatively Approved	AJA/AJF/AJD	Self-explanatory.
572	Srvy Req Returned to Adj	AJA/AJF/AJD/Cadastral	Self-explanatory.
577	Srvy Rqst Resubmitted	AJA/AJF/AJD	Self-explanatory.
623	Decision Issued	AJA/AJF/AJD	Use for ALJ decision in contest proceeding.
654	Ind Conv/IC-Tlt Rcvy Req	AJA/AJF/AJD	Use the date of the Interim Conveyance.

EXHIBIT 1, 1995

655	Lnd Conv/PA-Tlt Rcvy Req	AJA/AJF/AJD	Use the date of the patent.
656	Lnd Conv/TA-Tlt Rcvy Req	AJA/AJF/AJD	Use the date of the state selection tentative approval.
657	Title Recovery Commenced	AJA/AJF/AJD	The date adjudicative action begins (e.g., voluntary reconveyance is requested).
707	Equitable Adj Denied	AJA/AJF/AJD	Use the date of Washington, D.C. decision. (Sec 281)
708	Equitable Adj Approved	AJA/AJF/AJD	Use the date of Washington, D.C. decision. (Sec 281)
723	Survey Option Requested	AJA/AJF/AJD	Self-explanatory.
724	Survey Option Rcvd Pvt	AJA/AJF/AJD	Self-explanatory.

Alphabetical Listing of Allowable Action Codes for Homesteads (2567.00)

Code	Nomenclature	Code	Nomenclature	Code	Nomenclature
044	1st Amended Special Inst	181	Contest Filed - Private	347	Filing Fee Rcvd/Rfnd
045	2nd Amended Special Inst	161	Contest Sent Adm Law Jdg	057	Final Notes Typed
046	1st Suppl Special Instr	080	Corrective Pat Issued	213	Final Proof Filed
047	2nd Suppl Special Instr	056	Critical Review Made	214	Final Proof Rejected
048	3rd Suppl Special Instr	362	Dec Affrmd Part/Rvsd Prt	215	Final Proof Required
049	4th Suppl Special Instr	363	Dec Affrmd as Modified	059	Final Review Made
050	5th Suppl Special Instr	365	Dec Remand Further Actn	222	Hearing Held
106	Additional Monies Rqrd	366	Dec Reversed & Remanded	223	Hearing Ordered
103	Addtl Evidence Received	231	Dec/Reduction Approved	400	Held for Ref. in Part
104	Addtl Evidence Required	230	Dec/Reduction Denied	373	Held for Reject/Cancel
385	Adverse Claim Filed	361	Decision Affirmed	019	Interim Report Written
114	Amended/Crrctd Apln Rcvd	623	Decision Issued	550	Legislatively Approved
115	Amended/Crrctd Apln Rqst	369	Decision Modified	491	Litigation Completed
374	Amended/Crrctd Desc Rcvd	188	Decision Vacated	148	Litigation Filed
375	Amended/Crrctd Desc Rqst	060	Delivered for Acceptance	654	Lnd Conv/IC-Tlt Rcvy Req
119	Appeal Dismissed	054	Draft Notes Written	655	Lnd Conv/PA-Tlt Rcvy Req
120	Appeal Filed	197	Entry Allowed	656	Lnd Conv/TA-Tlt Rcvy Req
039	Applicant Deceased	121	Entry Allowed in Part	246	Loc Notice Acknowledged
051	Assigned to Surveyor	198	Entry Application Rcvd	248	Loc Notice Unacceptable
098	Audited Not Locked	708	Equit Adj Approved	249	Loc Notice Unaccept In Pt
100	Audited to Date-Locked	707	Equit Adj Denied	247	Loc Notice Filed
146	Case Closed-No Conveyance	281	Equitable Adj Rqstd	255	Mtl Svc Notice Filed
099	Case Closed-Title Trnsf	042	Exclusion Survey Rqstd	089	Min Rpt Rcvd w-o/Val Loc
163	Casefile Sent FRC/Arch	203	Extension Approved	091	Min Rpt Rcvd w-o/Val Lse
171	Change of Name Received	488	Extension Denied	088	Min Rpt Rcvd w/Val Loc
403	Claim Located or Posted	122	Extension Request Filed	090	Min Rpt Rcvd w/Val Lse
097	Congressnl Inq Answered	009	Field Report Approved	010	Mineral Exam Requested
178	Contest Complnt Answered	210	Field Report Requested	014	Mineral Exam Rpt Apprvd
179	Contest Complnt Dismsd	052	Field Survey Commenced	342	Mineral Report Rqstd
180	Contest Filed - Govt	053	Field Survey Completed	253	Mineral Res Dec Issued

<u>Code</u>	<u>Nomenclature</u>
061	Modification Required
392	Other Monies Rcvd/Rfnd
272	Patent Cancelled
271	Patent Issued
519	Patent Issued In Part
058	Plat Drafted
063	Plats Rcvd from Microfilm
062	Plats/Notes Accept Div Ch
285	Prof Right Exercised
286	Preference Right Given
291	Proof of Publ Received
298	Protest Dismissed
299	Protest Filed
266	Protest Withdrawn
295	Prp Govt Ctst to Reg Sol
300	Publ Directed Newspaper
302	Purchase Price Received
303	Purchase Price Required
151	Quit Claim Deed Received
441	Reconsideration Rqstd
155	Reconsidertrn Reqst Denied
229	Reduced Requirements Rqstd
379	Refund Authorized
317	Reg Sol Opinion Rqstd
492	Reg Sol Opinion Rcvd
282	Reinst Pet Apprvd
283	Reinst Pet Denied
284	Reinst Pet Filed
388	Reinstated/Reopened
125	Rejected
126	Rejected In Part
517	Rejected-Other
310	Relinquishment Accepted
311	Relinquishment Filed
313	Relinquishment Unacceptable

<u>Code</u>	<u>Nomenclature</u>
312	Relinquishment In Part Filed
487	Remand Requested
055	Returned to Field
043	Special Instr Approved
108	Srvy Conformance Notice
107	Srvy-Conformance Rcvd
572	Srvy Req Returned to Adj
577	Srvy Rqst Resubmitted
321	Statutory Life Expired
024	Supplmntl Fid Rpt Cmpltd
023	Supplmntl Fid Rpt Rqstd
322	Survey Cost Rcvd/Rfnd
724	Survey Option Rcvd Pvt
723	Survey Option Requested
326	Survey Plat Filed
327	Survey Requested
127	Suspended
494	Title Accepted by U.S.
657	Title Recovery Commenced

Public Land Order

Reference No.

1684

Federal Register Data

Publish d:  
No.:

Vol. :  
Page:

PLO No. : 1613  
Date PLO signed: 4/7/58

TITLE 43—PUBLIC LANDS:  
INTERIOR

Chapter —Bureau of Land Management,  
Department of the Interior

Appendix—Public Land Orders  
[Public Land Order 1613]

[22506]

ALASKA

REVOKING PUBLIC LAND ORDER NO. 601 OF  
AUGUST 10, 1949, WHICH RESERVED PUBLIC  
LANDS FOR HIGHWAY PURPOSES, AND PARTIALLY  
REVOKING PUBLIC LAND ORDER NO.  
386 OF JULY 31, 1947

By virtue of the authority vested in  
the President and pursuant to Executive  
Order No. 10355 of May 26, 1952, and  
the act of August 1, 1956 (70 Stat. 898)  
it is ordered as follows:

1. Public Land Order No. 601 of  
August 10, 1949, as modified by Public  
Land Order No. 757 of October 16, 1951,  
reserving for highway purposes the public  
lands in Alaska lying within 300 feet  
on each side of the center line of the  
Alaska Highway and within 150 feet on  
each side of the center line of the Richardson  
Highway, Glenn Highway/Haines  
Highway, the Seward-Anchorage Highway  
(exclusive of that part thereof  
within the boundaries of the Chugach  
National Forest), the Anchorage-Lake  
Spenard Highway, and the Fairbanks-  
College Highway, is hereby revoked.

2. Public Land Order No. 386 of July  
31, 1947, so far as it withdrew the following-  
described lands, identified as items  
(a) and (b) in said order, under the jurisdiction  
of the Secretary of War for right-of-way purposes  
for a telephone line and an oil pipeline with appurtenances,  
is hereby revoked:

(a) A strip of land 50 feet wide, 25 feet on  
each side of a telephone line as located and  
constructed generally parallel to the Alaska  
Highway from the Alaska-Yukon Territory  
boundary to the junction of the Alaska  
Highway with the Richardson Highway near  
Big Delta, Alaska.

(b) A strip of land 20 feet wide, 10 feet  
on each side of a pipeline as located and  
constructed generally parallel to the Alaska  
Highway from the Alaska-Yukon Territory  
boundary to the junction of the Alaska  
Highway with the Richardson Highway near  
Big Delta, Alaska. (canal pipeline)

3. An easement for highway purposes,  
including appurtenant protective, scenic,  
and service areas, over and across the  
lands described in paragraph 1 of this  
order, extending 150 feet on each side of  
the center line of the highways mentioned  
therein, is hereby established.

4. An easement for telephone line purposes  
in, over, and across the lands described  
in paragraph 2 (a) of this order, extending  
25 feet on each side of the telephone line  
referred to in that paragraph, and an easement  
for pipeline purposes, in, under, over, and  
across the lands described in paragraph 2 (b)  
of this order, extending 10 feet on each side  
of the pipeline referred to in that paragraph,  
are hereby established, together with the  
right of ingress and egress to all sections  
of the above easements on and across the  
lands hereby released from withdrawal.

5. The easements established under paragraphs 3 and 4 of this order shall extend across both surveyed and unsurveyed public lands described in paragraphs 1 and 2 of this order for the specified distance on each side of the centerline of the highways, telephone line and pipeline, as those center lines are definitely located as of the date of this order.

6. The lands within the easements established by paragraphs 3 and 4 of this order shall not be occupied or used for other than the highways, telegraph line and pipeline referred to in paragraphs 1 and 2 of this order except with the permission of the Secretary of the Interior or his delegate as provided by section 3 of the act of August 1, 1956 (70 Stat. 898), provided: that if the lands crossed by such easements are under the jurisdiction of a Federal department or agency, other than the Department of the Interior, or of a Territory, State, or other Government subdivision or agency, such permission may be granted only with the consent of such department, agency, or other governmental unit.

7. The lands released from withdrawal by paragraphs 1 and 2 of this order, which, at the date of this order, adjoin lands in private ownership, shall be offered for sale at not less than their appraised value, as determined by the authorized officer of the Bureau of Land Management, and pursuant to section 2 of the act of August 1, 1956, supra. Owners of such private lands shall have a preference right to purchase at the appraised value so much of the released lands adjoining their private property as the authorized officer of the Bureau of Land Management deems equitable, provided, that ordinarily, owners of private lands adjoining the lands described in paragraph 1 of this order will have a preference right to purchase released lands adjoining their property, only up to the centerline of the highways located therein. Preference right claimants may make application for purchase of released lands at any time after the date of this order by giving notice to the appropriate land office of the Bureau of Land Management. Lands described in this paragraph not claimed by and sold to preference claimants may be sold at public auction at not less than their appraised value by an authorized officer of the Bureau of Land Management, provided that preference claimants are first given notice of their privilege to exercise their preference rights by a notice addressed to their last address of record in the office in the Territory in which their title to their private lands is recorded. Such notice shall give the preference claimant at least 60 days in which to make application to exercise his preference right; and if the application is not filed within the time specified, the preference right will be lost. Preference right claimants will also lose their preference rights if they fail to pay for the lands within the time period specified by the authorized officer of the Bureau of Land Management, which time period shall not be less than 60 days.

1684

8. The lands released from withdrawal by paragraphs 1 and 2 of this order, which at the date of this order, adjoin lands in valid unperfected entries, locations, or settlement claims, shall be subject to inclusion in such entries, locations and claims, notwithstanding any statutory limitations upon the area which may be included therein. For the purposes of this paragraph entries, locations, and claims include, but are not limited to, certificates of purchase under the Alaska Public Sale Act (63 Stat. 879; 48 U. S. C. 364a-e) and leases with option to purchase under the Small Tract Act (52 Stat. 809; 43 U. S. C. 682a) as amended. Holders of such entries, locations, and claims to the lands, if they have not gone to patent, shall have a preference right to amend them to include so much of the released lands adjoining their property as the authorized officer deems equitable, provided, that ordinarily such holders of property adjoining the lands described in paragraph 1 of this order will have the right to include released lands adjoining such property only up to the centerline of the highways located therein. Allowances of such amendments will be conditional upon the payment of such fees and commissions as may be provided for in the regulations governing such entries, locations, and claims together with the payment of any purchase price and cost of survey of the land which may be established by the law or regulations governing such entries, locations and claims, or which may be consistent with the terms of the sale under which the adjoining land is held. Preference right claimants may make application to amend their entries, locations, and claims at any

time after the date of this order by giving notice to the appropriate land office of the Bureau of Land Management. Lands described in this paragraph, not claimed by and awarded to preference claimants, may be sold at public auction at not less than their appraised value by the authorized officer of the Bureau of Land Management, provided that preference claimants are first given notice of their privilege to exercise their preference rights by a notice addressed to their last address of record in the appropriate land office, or if the land is patented, in the Territory in which title to their private land is recorded. Such notice shall give the claimant at least 60 days in which to make application to exercise his preference right, and if the application is not filed within the time specified the preference right will be lost. Preference right claimants will also lose their preference rights if they fail to make any required payments within the time period specified by the authorized officer of the Bureau of Land Management, which time period shall not be less than 60 days.

9. (a) Any tract released by Paragraph 1 or 2 of this order from the withdrawals made by Public Land Orders Nos. 601, as modified, and 386, which remains unsold after being offered for sale under Paragraph 7 or 8 of this order, shall remain open to offers to purchase under Section 2 of the act of August 1, 1956, supra, at the appraised value, but it shall be within the discretion of the Secretary of the Interior or his delegate as to whether such an offer shall be accepted.

(b) Any tract released by Paragraph 1 or 2 of this order from the withdrawals made by Public Land Orders Nos. 601, as modified, and 386, which on the date hereof does not adjoin privately-owned land or land covered by an unpatented claim or entry, is hereby opened, subject to the provisions of Paragraph 6 hereof, if the tract is not otherwise withdrawn, to settlement claim, application, selection or location under any applicable public land law. Such a tract shall not be disposed of as a tract or unit separate and distinct from adjoining public lands outside of the area released by this order, but for disposal purposes, and without losing its identity, if it is already surveyed, it shall be treated as having merged into the mass of adjoining public lands, subject, however, to the easement so far as it applies to such lands.

(c) Because the act of August 1, 1956 (70 Stat. 898; 48 U. S. C. 420-420c) is an act of special application, which authorizes the Secretary of the Interior to make disposals of lands included in revocations such as made by this order, under such laws as may be specified by him, the preference-right provisions of the Veterans Preference Act of 1944 (58 Stat. 747; 43 U. S. C. 279-284) as amended, and of the Alaska Mental Health Enabling Act of July 28, 1956 (70 Stat. 709; 48 U. S. C. 46-3b) will not apply to this order.

10. All disposals of lands included in the revocation made by this order, which are under the jurisdiction of a Federal department or agency other than the Department of the Interior may be made only with the consent of such department or agency. All lands disposed of under the provisions of this order shall be subject to the easements established by this order.

11. The boundaries of all withdrawals and restorations which on the date of this order adjoin the highway easements created by this order are hereby extended to the centerline of the highway easements which they adjoin. The withdrawal made by this paragraph shall include, but not be limited to the withdrawals made for Air Navigation Site No. 7 of July 13, 1954, and by Public Land Orders No. 386 of July 31, 1947, No. 622 of December 15, 1949, No. 808 of February 27, 1952, No. 975 of June 18, 1954, No. 1037 of December 18, 1954, No. 1059 of January 21, 1955, No. 1129 of April 15, 1955, No. 1179 of June 29, 1956, and No. 1181 of June 29, 1956.

ROGER EWERT,  
Assistant Secretary of the Interior.

APRIL 7, 1958.

[F. B. Doc. 86-366; Filed, Apr. 10, 1958;  
8:48 a. m.]



PLO 1613 Application

In accordance with PLO 1613, I hereby apply for the highway lot adjacent to my land:

Township \_\_\_\_\_ Range \_\_\_\_\_ Meridian \_\_\_\_\_

Lot No. \_\_\_\_\_ Section \_\_\_\_\_

\_\_\_\_\_  
Applicant's Printed Name

\_\_\_\_\_  
Applicant's Printed Name

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Applicant's Signature

Address:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Address:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PLO 1613 Checklist

1. Application received (not topfiled on old application):

- a. Does application meet criteria of 1613? \_\_\_\_\_
- b. Get copy of original patent of adjoining land. \_\_\_\_\_
- c. If necessary, request FRC file of original claim. \_\_\_\_\_
- d. If needed, request subdivisional plat (we need one that is readable for Cadastral), ownership documentation, etc. from applicant. If we already have the subdivisional plat in another file, we don't need another, unless there is a resubdivision. \_\_\_\_\_

2. If application meets PLO 1613 criteria:

- a. Request leaseable minerals report. \_\_\_\_\_
- b. Does highway lot need surveying or supplemental survey? \_\_\_\_\_
- c. If yes, request survey (we need to request all necessary supplemental surveys within a surveyed section or township at one time). \_\_\_\_\_

- d. If no survey needed or after survey is done, request appraisal (see attached form and sample). \_\_\_\_\_
  - e. Issue mineral reservation decision if necessary. \_\_\_\_\_
  - f. After appraisal is received, issue notice to applicant requiring purchase price and affidavit. (Copy of form attached.) \_\_\_\_\_
  - g. Once purchase price and affidavit are received, reject conflicting claims. (Sample attached.) \_\_\_\_\_
  - h. After appeal period is over, issue patent (sample of FC and patent attached). \_\_\_\_\_
3. If application does not meet PLO 1613 criteria, reject. (Samples attached.) \_\_\_\_\_

AA-55134 (2780)  
 AA-6661-A (2651)  
 (965)

JUN 12 1985

CERTIFIED MAIL  
 RETURN RECEIPT REQUESTED

DECISION

Chugiak Benefit Association,	:	AA-55134
Inc.	:	Public Land Order
P.O. Box 67015	:	No. 1613 Application
Chugiak, Alaska 99567	:	

Public Land Order No. 1613 Application Rejected

On April 11, 1958, Public Land Order No. (PLO) 1613 gave existing private landowners and persons with applications to acquire public lands a preference right to purchase land adjoining their property up to the centerline of the Glenn Highway. On January 21, 1985, Chugiak Benefit Association, Inc., filed PLO 1613 application AA-55134 to purchase lot 17, Sec. 17, T. 15 N., R. 1 W., Seward Meridian.

On August 20, 1973, Eklutna, Inc., filed Village selection application AA-6661-A, as amended, for lot 17 (formerly a portion of lot 8), and an interim conveyance (IC) was issued to them on December 7, 1977, for the subject land. An IC is the document issued to a Native Corporation if the lands are not yet surveyed; it conveys the same right, title, and interest in and to the land as a patent.

The application of Chugiak Benefit Association, Inc., meets the requirements of PLO 1613. The subject land, however, has been conveyed and is no longer under the jurisdiction of the Bureau of Land Management (BLM). Therefore, PLO 1613 application AA-55134 is hereby rejected.

It should be noted that the BLM is prevented from suing to recover title as 43 U.S.C. 1166 limits the time for suing to six years after the issuance of a patent. Because an IC conveys the same right, title, and interest as a patent, the statute of limitations expired December 7, 1983.

An appeal from this decision may be taken to the Board of Land Appeals, Office of Hearings and Appeals, in accordance with the enclosed regulations in Title 43 CFR Part 4, Subpart E. If an appeal is taken, the notice of appeal must be filed in the Alaska State Office of the Bureau of Land Management within 30 days of the receipt of this decision. Do not send the appeal directly to the Board. The appeal and case history file will be sent to the Board from this office. The regulations also require the appellant to serve a copy of the notice of appeal, statement of reasons, written arguments or briefs on the Regional Solicitor, Alaska Region, U.S. Department of the Interior, 701 C Street, Box 34, Anchorage, Alaska 99513. To avoid summary dismissal of the appeal, there must be strict compliance with the regulations. Form 1842-1 is enclosed for additional information.

Linda Resseguie

Linda Resseguie  
Chief, Lands Section

Enclosures:  
Form 1842-1  
43 CFR Part 4  
MTP

Copy furnished to:

Eklutna, Inc.  
550 West Seventh Avenue, Suite 1550  
Anchorage, Alaska 99501

cc:  
CIRI Adjudication Section (961)

AA-44536 (2780)  
(965)

MAY 23 1958

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

## DECISION

Stanley V. Resimont	:	AA-44536
608 West College Street	:	Public Land Order
Ozark, Arkansas 72949	:	No. 1613 Application

Public Land Order No. 1613 Application Rejected

On April 11, 1958, Public Land Order No. (PLO) 1613 gave existing private landowners and persons with applications to acquire public lands a preference right to purchase land adjoining their property up to the centerline of the Seward Highway. On August 24, 1981, Stanley V. Resimont filed PLO 1613 application AA-44536 for lot 18, U.S. Survey No. 3680, Alaska, located in Sec. 15, T. 10 N., R. 1 W., Seward Meridian.

All applications approved under the provisions of PLO 1613, (23 F.R. 2376), pursuant to the Act of Congress of August 1, 1956, 43 U.S.C. 971a, as amended and supplemented, must adjoin lands that were in private ownership or in valid unperfected entries, locations, or settlement claims on the date of PLO 1613, April 11, 1958. The land adjoining lot 18, U.S. Survey No. 3680 (lot 18, U.S. Survey No. 3202, Alaska) was not applied for until November 28, 1959. Because the adjoining land did not meet the criteria of PLO 1613, AA-44536 is hereby rejected.

An appeal from this decision may be taken to the Board of Land Appeals, Office of Hearings and Appeals, in accordance with the enclosed regulations in Title 43 CFR Part 4, Subpart E. If an appeal is taken, the notice of appeal must be filed in the Alaska State Office of the Bureau of Land Management within 30 days of the receipt of this decision. Do not send the appeal directly to the Board. The appeal and case history file also require the appellant to serve a copy of the notice of appeal, statement of reasons, written arguments or briefs on

LANDS  


the Regional Solicitor, Alaska Region, U.S. Department of the Interior, 701 C Street, Box 34, Anchorage, Alaska 99513. To avoid summary dismissal of the appeal, there must be strict compliance with the regulations. Form 1842-1 is enclosed for additional information.

Linda Resseguie  
Linda Resseguie  
Chief, Lands Section

Enclosures:  
Form 1842-1  
Appeal Regulations  
MTP

AA-54857 (2780)  
(965)

JUL 17 1991

Memorandum

To: Deputy State Director for Cadastral Survey (920)  
From: Acting Chief, Lands Section (965)  
Subject: Request for Survey

The applicants listed below have filed an application for a Public Land Order No. 1613 lot. The applicants currently own Tract B of the Aulney Subdivision, a portion of the base land lot described below. It is located in U.S. Survey No. (USS) 3242, Sec. 9, T. 16 N., R. 2 E., Seward Meridian.

<u>Serial No.</u>	<u>Applicant</u>	<u>Base land lot</u>
AA-54857	Brady D. Jackson III Kevin Jackson	Portion of USS 3242 (Tract B of the Aulney Subdivision)

Therefore, a survey of the highway lots adjacent to Tracts A and B of the Aulney Subdivision and the remaining land in USS No. 3242 is hereby requested. Attached is a plat of the Aulney Subdivision outlining the lots we need surveyed.

/s/ PATRICIA H. BOWER

Acting



Form 9300-8  
(February 1981)

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

REQUEST FOR REAL ESTATE APPRAISAL

TO: Chief State Appraiser

Date 11-15-84

THRU: State Director

FROM: ~~District Manager~~ Branch of Lands, Lands Section  
(office)

An appraisal report is needed by (date) 2-17-85 to complete the case described below.

1. Serial Number  AA-51049	2. Applicant (name)  Myers Construction Co., Inc.
----------------------------------	---

3. Type of Case Public Land Order 1613

4. Rights to be appraised

Fee title; the lot will be conveyed subject to an easement ~~(crossing the entire lot)~~ (for 150 feet) for highway purposes as established by PLO 1613. The lot will also be subject to AA-6137, Easement Deed RCA 25' centerline, and a right-of-way not exceeding 50 feet in width, for roadway and public utilities purposes, to be located along the south boundary of said land.

5. Legal Description

Lot 139, Sec 30, T. 15 N., R. 1 W., Seward Meridian

6. County	7. Total acreage to be appraised 1.29 ac.
-----------	--

8. Remarks

Even though the conveyance will be subject to the 150' easement referenced above, in some areas the State has vacated 50 feet of the easement.

Case file or a copy of the classification report is attached or will be forwarded by (Date)

*Annella M. Allister*

Title  
Acting Chief, Lands Section

CHIEF STATE APPRAISER COMPLETES

Assigned to

Date

AFFIDAVIT

I (We), \_\_\_\_\_, hereby attest that I (we) am (are) currently the legal owner(s) of all the property described below:

I certify under penalty of perjury that the foregoing is true and accurate.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Owner

\_\_\_\_\_  
Date

\_\_\_\_\_  
Owner

This is to certify that on this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me, the undersigned, a Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared \_\_\_\_\_, known to me to be the person(s) described in and who executed the foregoing affidavit.

In witness whereof, I have hereunto set my hand and seal the day and year first hereinabove written.

\_\_\_\_\_  
Notary Public for Alaska

My commission expires:

\_\_\_\_\_

# The United States of America

To all to whom these presents shall come, Greeting:

Anchorage 063480

WHEREAS

James L. Holt

is entitled to a Land Patent pursuant to the Act of August 1, 1956, as amended and supplemented, 43 U.S.C. 971a, for the following described land:

Seward Meridian, Alaska

T. 15 N., R. 1 W.,  
Sec. 9, lot 157.

Containing 2.56 acres, as shown on supplemental plat of survey accepted November 6, 1979.

NOW KNOW YE, that there is, therefore, granted by the UNITED STATES, unto the above-named claimant the land above described; TO HAVE AND TO HOLD the said land with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said claimant, his successors and assigns, forever;

EXCEPTING AND RESERVING TO THE UNITED STATES:

A right-of-way thereon for ditches or canals constructed by the authority of the United States. Act of August 30, 1890, 43 U.S.C. 945.

THE GRANT OF THE ABOVE DESCRIBED LAND IS SUBJECT TO:

1. A right-of-way, A-021429, for a transmission line for the Matanuska Electric Association under the Act of February 15, 1901, as amended, 43 U.S.C. 959 (1970);
2. An easement for highway purposes, including appurtenant protective, scenic, and service areas, extending one hundred fifty (150) feet

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on each side of the center line of the Glenn Highway as established by Public Land Order No. 1613 (23 F.R. 2376), pursuant to the Act of August 1, 1956, as amended and supplemented, 43 U.S.C. 971a, and transferred to the State of Alaska pursuant to the Alaska Omnibus Act, Pub. L. 86-70, 73 Stat. 141;

3. A right-of-way not exceeding fifty (50) feet in width, for roadway and public utility purposes, to be located along the northeast boundary of said land; and
4. An easement and right-of-way to operate, maintain, repair, and patrol an overhead open wire and underground communication line or lines, and appurtenances thereto, in, on, over, and across a strip of land fifty (50) feet in width, lying twenty-five (25) feet on each side of the center line of the Alaska Communication System's open wire or pole line and/or buried communication cableline, conveyed to RCA Alaska Communications, Inc., by Easement Deed effective January 10, 1971, AA-6187, pursuant to the Alaska Communications Disposal Act, 40 U.S.C. 771, et seq.

[SEAL]

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provision of the Act of June 17, 1948 (62 Stat. 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed:

GIVEN under my hand, in ANCHORAGE, ALASKA the SEVENTH day of APRIL in the year of our Lord one thousand nine hundred and EIGHTY-SIX and of the Independence of the United States the two hundred and TENTH.

By Mary Jane Clawson  
Mary Jane Clawson  
Chief, Branch of Lands

50-86-0148

Patent Number \_\_\_\_\_