

**STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINING, LAND AND WATER**

DRAFT MINERAL ORDER NO. 1266

_____ Closing Lands to Mineral Entry X Opening Lands to Mineral Entry

I. Name: Felix Gold Alaska Treasure Creek, Inc.

II. Reason for Mineral Order: This mineral order is based upon the attached Commissioner's Administrative Finding and the applicable statutes.

III. Authority: Alaska Statute (AS) 38.05.185 – 38.05.275 and AS 38.05.300.

IV. Legal Description and Acreage:

E½ Section 18, and NE¼ Section 19, Township 002 North, Range 001 West,
Fairbanks Meridian, containing 480 acres, more or less,

And,

E½SE¼ Section 12, and NE¼ Section 13, Township 002 North, Range 002 West,
Fairbanks Meridian, containing 240 acres, more or less.

Also see the attached map.

V. Mineral Opening: This order is subject to valid existing rights and issued under the authority granted by AS 38.05.185 - 38.05.275 and AS 38.05.300 to the Department of Natural Resources. The above-described lands are hereby reopened to entry under the locatable mineral and mining laws of the State of Alaska.

Concur:

Christianna Colles, Director
Division of Mining, Land and Water

Date

Approved:

John Boyle, Commissioner
Department of Natural Resources

Date

An eligible person affected by this decision of the department, and who provided timely written comment or public hearing testimony to the department, may request reconsideration to the DNR Commissioner per AS 44.37.011 and 11 AAC 02. Any request for reconsideration must be received by the Commissioner's Office within twenty (20) calendar days after issuance of the decision under 11 AAC 02.040. The Commissioner may order or deny a request for reconsideration within thirty (30) calendar days after issuance of the decision. If the Commissioner takes no action on a request for reconsideration within thirty (30) days after issuance of the decision, the request for reconsideration is considered denied. The Commissioner's decision on reconsideration, other than a remand decision, is a final administrative order and decision of the department. An eligible person must first request reconsideration to the Commissioner before seeking relief in superior court. The Alaska Court System establishes its own rules for timely appealing final administrative orders and decisions of the department.

Reconsideration may be mailed or hand-delivered to the DNR Commissioner's Office, 550 W. 7th Avenue, Suite 1400, Anchorage, Alaska, 99501; or faxed to (907)-269-8918 or sent by electronic mail to dnr.appeals@alaska.gov. Reconsideration must be accompanied by the fee established in 11 AAC 05.160(d)(1)(F), which has been set at \$200 under the provisions of 11 AAC 05.160(a)-(b). A copy of 11 AAC 02 is available on the department's website at <https://dnr.alaska.gov/mlw/pdf/DNR-11-AAC-02.pdf>.

DRAFT FINDING OF THE COMMISSIONER
FOR MINERAL ORDER NO. 1266 (OPENING)
AS 38.05.185 (a)

Felix Gold Alaska Treasure Creek, Inc. (Felix Gold) has petitioned DNR to reopen to mineral entry certain lands described in the attached Mineral Order, as provided in AS 38.05.300, 11 AAC 55.040, and 11 AAC 55.270.

Felix Gold has requested that two areas described in the attached Mineral Order be reclassified to remove the mineral closing orders that currently affect the land so that mineral exploration of the area can proceed. Currently, the area is surrounded on three sides by state mining claims where Felix Gold is actively conducting mineral exploration.

The land estate in the parcel located within Township 2 North, Range 1 West, Fairbanks Meridian has been conveyed to the Fairbanks North Star Borough and thus is no longer available for the state land disposal program, which was the original purpose for the 1981 mineral closure on this land under MCO 67A03. Furthermore, both the Borough and the DMLW Mining Section have indicated support for removing the mineral closure from the land in this area. The Alaska Department of Fish and Game has also reviewed the subject lands and has no objection to reopening the area to mineral entry.

The second parcel located within Township 2 North, Range 2 West, Fairbanks Meridian lies within a management unit of the Eastern Tanana Area Plan that is classified as Mineral Land, and thus is intended to be managed for its mineral values. Furthermore, land classified as Mineral Land is not intended to be available for the state land disposal program, which was the original purpose for the 1982 mineral closure on this land under MCO 228. Additionally, the Land Conveyance Section of DNR's Division of Mining, Land and Water has indicated support for removing the mineral closure from the land in this area. The Alaska Department of Fish and Game has also reviewed the subject lands and has no objection to reopening the area to mineral entry.

After thorough review of the resources and uses occurring on these two parcels, it is my determination that it is appropriate to remove the mineral closing orders that affect them. Therefore, it is my finding in accordance with AS 38.05.185(a), that the best interests of the state and its residents are served by this reopening to entry under the locatable mineral and mining laws of the state of Alaska of the above areas, more particularly described in Mineral Order No. 1266 (Opening). This order is subject to valid existing rights.

John Boyle, Commissioner
Department of Natural Resources

Date