

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

MINERAL ORDER NO. 1288

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

I. Name: United States Army Corp of Engineers (USACE) Permafrost Tunnel Drainage Protection

II. Reason for Mineral Order: This mineral order is based on the attached Commissioner's Administrative Finding and applicable statutes. This mineral order is associated with ADL 422229.

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

IV. Location and Legal Description: Lands to be closed under this order are in the Northern Region

The NW $\frac{1}{4}$ SE $\frac{1}{4}$ and the N $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 5 within Township 001 North, Range 001 East, Fairbanks Meridian, Alaska, according to the survey plat approved by the United States Department of the Interior, General Land Office on January 16, 1914, containing 120 acres, more or less.

AND

Government Lots 1, 8, 9, 10, and 11, the SE $\frac{1}{4}$ NE $\frac{1}{4}$, the N $\frac{1}{2}$ SE $\frac{1}{4}$, and the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6 within Township 001 North, Range 001 East, Fairbanks Meridian, Alaska, according to the survey plat approved by the United States Department of Interior, General Land Office on January 16, 1914 and the supplemental survey plat accepted by the United States Department of the Interior, Bureau of Land Management on August 5, 1970, containing 305 acres, more or less.

Altogether containing 425 acres, more or less.

Also see the attached map.

V. Mineral Closing: This mineral order is subject to valid existing rights and is 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 closed to entry under the locatable mineral and mining laws of the State of Alaska.

Concur: _____

Christy 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 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>

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