

## SUBCHAPTER I—TECHNICAL SERVICES (9000)

### Group 9100—Engineering

NOTE: The information collection requirements contained in part 9180 of Group 9100 have been approved by the Office of Management and Budget under 44 U.S.C. 3507 and assigned clearance number 1004-0033. The information is being collected to permit the authorized officer to determine whether an application for survey of islands or other omitted lands that are part of the public lands should be granted. The information will be used to make this determination. A response is required to obtain a benefit.

[48 FR 40890, Sept. 12, 1983]

### PART 9180—CADASTRAL SURVEY

#### Subpart 9180—Cadastral Surveys; General

- Sec.
- 9180.0-2 Objectives.
- 9180.0-3 Authority.
- 9180.1 Interpretation of survey records.
- 9180.1-1 Meridians.

#### Subpart 9183—Special Surveys

- 9183.0-2 Objectives.

#### Subpart 9185—Instructions and Methods

- 9185.1 Applications.
  - 9185.1-1 Surveys.
  - 9185.1-2 Resurveys.
  - 9185.1-3 Mining claims.
- 9185.2 Requirements for surveys.
  - 9185.2-1 [Reserved]
  - 9185.2-2 Lands omitted from original survey.
  - 9185.2-3 Unsurveyed islands and omitted lands.
- 9185.3 Requirements for resurveys; without cost to applicant.
  - 9185.3-1 Eligibility.
  - 9185.3-2 Showing required.
  - 9185.3-3 Majority of land owners.
- 9185.4 Requirements for resurvey; with cost prorated.
  - 9185.4-1 Estimate of cost.
  - 9185.4-2 Showing required.
  - 9185.4-3 Three-fourths of land owners.

AUTHORITY: R.S. 2478; 43 U.S.C. 1201; 40 Stat. 965, as amended; 43 U.S.C. 773.

#### Subpart 9180—Cadastral Surveys; General

SOURCE: 35 FR 9797, June 13, 1970, unless otherwise noted.

#### § 9180.0-2 Objectives.

(a) *Alaska; existing surveys and extension thereof.* The surveys up to the present time have been confined to known agricultural areas, the coal fields, and such other lands as have been considered to be suitable for development by settlers or otherwise. The extensions of the surveys to other areas will be governed largely by the character of the lands and their suitability for use, development, and administration under the public land laws applicable to Alaska.

(b) *Resurveys.* The real interest of the Government in the resurvey of the public lands is well stated in the said Act of March 3, 1909, "to properly mark the boundaries of the public lands remaining undisposed of." Its duty being thus defined, the Bureau of Land Management will refrain from attempting to do more in the relocation of the corners of privately owned lands in a township being resurveyed than to reestablish such corners from the best available evidence of the original survey.

#### § 9180.0-3 Authority.

(a) *Delegation to Director, Bureau of Land Management.* (1) In the establishment of the Bureau of Land Management by Reorganization Plan No. 3 of 1946, the office of Supervisor of Surveys was abolished and the functions and powers thereof were transferred to the Secretary of the Interior, to be performed by such officers or agencies of the Department as might be designated by the Secretary. Under that authority, the functions and powers formerly exercised by the Supervisor of Surveys were delegated to the Chief Cadastral Engineer, subject to the supervision of the Director, Bureau of Land Management. In the general reorganization and realignment of functions of the Bureau, the office of Chief Cadastral Engineer has been abolished, and the functions of that office have been delegated to the Director.

(2) By this sequence, the cadastral surveying work of the Bureau of Land Management has been placed under the

immediate jurisdiction of the Director, subject to the direction and control of the Secretary of the Interior. Certain functions relating to specific phases of the cadastral surveying work have been delegated to the State Director.

(b) *Alaska.* The rectangular system of survey of the public lands was extended to the State of Alaska by the Act of March 3, 1899 (30 Stat. 1098; 48 U.S.C. 351). The regular township surveys in Alaska conform to that system, but departures therefrom are permitted under the conditions stated in the Act of April 13, 1926 (44 Stat. 243; 48 U.S.C. 379), and in certain other cases, such as special surveys for trade and manufacturing sites, headquarters sites, and homesites under section 10 of the Act of May 14, 1898 (30 Stat. 413; 48 U.S.C. 461), as amended; for soldiers additional entries, pursuant to sections 2306 and 2307 of the Revised Statutes (43 U.S.C. 274, 278); and for small tracts under the Act of June 1, 1938 (52 Stat. 609; 43 U.S.C. 682a), as amended.

(1) Administration of the public land surveying activities in Alaska is under the general supervision of the State Director, Bureau of Land Management, at Anchorage, Alaska. The office, in which the records relating to the public land surveys in the State are maintained, is located at Anchorage, Alaska. Correspondence relating to local survey matters should be addressed to the State Director, Juneau, Alaska.

(c) *Resurvey of township*—(1) *Without cost to applicant when title to at least 50 percent of the area is in the United States.* The Act of March 3, 1909 (35 Stat. 845), as amended by the Joint Resolution of June 25, 1910 (36 Stat. 884; 43 U.S.C. 772), authorizes the Secretary of the Interior to cause to be made such resurveys of the public lands as after full investigation he may deem essential to properly mark the boundaries of the public lands remaining undisposed of.

(2) *Cost to be prorated between applicants and United States, when more than 50 percent of the area is privately owned.*

(i) The Act of September 21, 1918 (40 Stat. 965; 43 U.S.C. 773), provides authority for the resurvey by the Government of townships heretofore held to be ineligible for resurvey under existing departmental regulations by reason

of disposals in excess of 50 percent of the total area thereof.

(ii) Under the Act mentioned, and upon the application of the owners of three-fourths of the privately owned lands in any township previously surveyed, or upon the application of a court of competent jurisdiction, accompanied by a deposit of funds sufficient to cover the estimated cost, inclusive of the necessary office work, of the resurvey of all of the privately owned lands in such township, the State Director, Bureau of Land Management, is authorized, in his discretion, to cause to be made a resurvey of the township in question in accordance with the laws and regulations governing surveys and resurveys of the public lands; the cost of the resurvey of the residue of the public lands in such township to be paid by the Government from the current annual appropriation for the survey and resurvey of the public lands in addition to the portion thereof made available for resurveys and retracements by the provisions of the Act of March 3, 1909 (35 Stat. 845), as amended by Joint Resolution of June 25, 1910 (36 Stat. 884; 43 U.S.C. 772). The total cost of the resurvey of the township is thus divided between the Government and the petitioners in proportion to the extent of their respective holdings.

(iii) It is further provided that any portion of such deposit in excess of the actual cost of the field and office work incident to such resurvey of privately owned lands shall be repaid pro rata to the applicants for resurvey or to their legal representatives.

#### §9180.1 Interpretation of survey records.

##### §9180.1-1 Meridians.

(a) *Alaska.* The public land surveys in Alaska are governed by three principal meridians established as follows: The Seward Meridian, initiated just north of Resurrection Bay and extending to the Matanuska coal fields; the Fairbanks Meridian, commencing near the town of Fairbanks and controlling the surveys in that vicinity, including the Nenana coal fields; and the Copper River Meridian which lies in the valley of the Copper River and from which