

**UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF INDIAN AFFAIRS  
ALASKA REGION  
WEST-CENTRAL ALASKA FIELD STATION**

**RIGHT-OF-WAY APPLICATION**

Landowner:       ,       Native Allotment Number

**COMES NOW THE APPLICANT:**       , of       , this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, who hereby petitions the Bureau of Indian Affairs and respectfully files under the terms and provisions of the Act of February 5, 1948 (62 Stat. 17; 25 U.S.C. 323), and Departmental Regulations Title 25, Code of Federal Regulations, Part 169, an application of a \_\_\_\_\_ (term of years) right-of-way for the following purposes and reasons:

Across the following described restricted land (easement description):

Said right-of-way to be \_\_\_\_\_ in length, \_\_\_\_\_ in width, and \_\_\_\_\_ in size (or area), as shown on attached map of definite location, attached hereto as Exhibit A, and made a part hereof.

**THE SAID APPLICANT UNDERSTANDS AND EXPRESSLY AGREES TO THE FOLLOWING STIPULATIONS:**

1. To construct and maintain the right-of-way in a workmanlike manner.
2. To pay all damages and compensation, in addition to the deposit made pursuant to 25 CFR 169.4, determined by the Secretary to be due the landowners and authorized users and occupants of the land due to the survey, granting, construction and maintenance of the right-of-way.
3. To indemnify the landowners and authorized users and occupants against any liability for loss of life, personal injury and property damage arising from the construction, maintenance, occupancy or use of the lands by the applicant, his employees, contractors and their employees, or subcontractors and their employees.
4. To restore the lands as nearly as may be possible to it's original condition upon the completion of construction, to the extent compatible with the purpose for which the right-of-way was granted.
5. To clear and keep clear the lands within the right-of-way to the extent compatible with the purpose of the right-of-way; and dispose of all vegetative and other material cut, uprooted or otherwise accumulated during construction and maintenance of the project.
6. To take soil and resources conservation protection measures, including weed control, on the land covered by the right-of-way.

7. To do everything reasonable within its power to prevent and suppress fires on or near the lands to be occupied under the right-of-way.
8. To build and repair such roads, fences and trails as may be destroyed or injured by construction work and to build and maintain necessary and suitable crossings for all roads and trails that intersect the works constructed, maintained, or operated under the right-of-way.
9. That upon revocation or termination of the right-of-way, the applicant shall so far as is reasonably possible, restore the land to its original condition. The determination of "reasonably possible" is subject to the Secretary's approval.
10. To at all times keep the Secretary informed of its address, and in the case of corporations, of the address of its principal place of business and the names and addresses of its principal officers.
11. That the applicant will not interfere with the use of the lands by or under the authority of the landowners for any purpose not inconsistent with the primary purpose for which the right-of-way is granted.
12. During the term of this Grant of Easement, if any previously unidentified cultural resources are discovered within the easement area, work should be halted immediately and the BIA and/or Tribal Contractor should be contacted immediately.

**THE APPLICANT FURTHER STIPULATES AND EXPRESSLY AGREES AS FOLLOWS:**

To conform and to abide by all applicable requirements with respect to the right-of-way herein applied for. The applicant agrees to conform to and abide by the rules, regulations, and requirements contained in the Code of Federal Regulations, Title 25 Indians, Part 169, as amended, and by reference includes such rules, regulations, and requirements as part of this application to the same effect as if the same were herein set out in full.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant

Attest:

\_\_\_\_\_

**Required Supporting Documents:**

1. ( ) Written consent of landowner (ROW Form 94-7).
2. ( ) Map (plats) of definite location (2 original mylars & 2 copies, see 25 CFR 169.6, 169.7, 169.8, 169.9, 169.10 and 169.11).
3. ( ) Deposit of estimated damages or compensation (See 25 CFR 169.4 and 169.14).
4. ( ) Evidence of Authority of Officers to Execute Papers (Row Form 94-4).
5. ( ) For a corporation or business, requirements of 25 CFR 169.4 and 169.5 (unless previously filed):
  - ( ) a. State certified copy of corporate charter or articles of incorporation.
  - ( ) b. Certified copy of corporate resolution, by-laws, articles of partnership or association authorizing signatory to file the application.