

information concerning these reservations as well as specific conditions of the sale are available for review at the House Range and Warm Springs Resource Areas, Bureau of Land Management, 35 East 500 North, Fillmore, Utah 84631.

For a period of 45 days from the date of publication of this notice in the **Federal Register**, interested parties may submit comments to the Area Manager, House Range and Warm Springs Resource Areas, at the above address. In the absence of timely objections, this proposal shall become the final determination of the Department of the Interior.

Dated: March 20, 1995.

Samuel R. Rowley,

Associate District Manager.

[FR Doc. 95-7828 Filed 3-29-95; 8:45 am]

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[UT-050-05-1430-01; U-68991]

Realty Action

AGENCY: Bureau of Land Management, Richfield District.

ACTION: Notice of realty action; direct sale of public lands in Juab County, Utah.

SUMMARY: The following described public lands have been found suitable for sale under Section 203 of the Federal Land Policy and Management Act (FLPMA) of 1976 (90 Stat. 2750, 43 U.S.C. 1713), at no less than the appraised fair market value \$27,000. The lands will not be offered for sale for at least 60 days after the date of publication of this notice.

Salt Lake Meridian, Utah

T. 13 S., R. 1 W.

Sec. 15, W $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$.

Contains 300 acres in Juab County.

Publication of this notice segregates the public lands described above from appropriation under the public land laws and the mining laws. The segregation will end upon disposition of this action, or 270 days from the date of publication of this notice, whichever occurs first.

This land is being offered by direct sale to Nephi City Corporation of Nephi, Utah, for a regional sanitary landfill. It has been determined that the subject parcel is prospectively valuable for oil and gas; therefore, the mineral estate, excluding oil and gas, will be conveyed simultaneously with the surface estate in accordance with Section 209 of FLPMA. Nephi City Corporation filed an application along with the required

\$50.00 nonrefundable fee for the conveyance of the mineral interest specified above. The oil and gas minerals in the lands shall be reserved to the United States. The described 300 acres are subject to the existing grazing use of Phillip E. Allred, holder of the grazing preference on the Stone Quarry Allotment. A certified letter was sent to the permittee which served as the 2-year notification of a reduction of his grazing privilege, pursuant to 43 CFR 2711.1-3. This grazing privilege will expire on May 4, 1995. The patent will not be issued on or before this date and will result in the loss of 17 of the 225 AUMs presently produced on this allotment. This will constitute an 8% downward adjustment in the grazing preference. The patent, when issued, will contain the following reservations to the United States:

1. A right-of-way thereon for ditches or canals constructed by the authority of the United States. Act of August 30, 1890, (26 Stat. 391; 43 U.S.C. 945 (1970)).

2. All oil and gas resources would be reserved to the United States with the right to prospect for, mine, and remove the same under applicable law and such regulations as the Secretary of the Interior may prescribe, in accordance with public law 94-579, Section 209 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1719).

And will be subject to all valid existing rights and privileges of record and title restrictions including, but not limited to:

1. The subject lands are located within the Hall Creek drainage and the Spring Canyon drainage and both involve base floodplains. Nephi City Corporation must demonstrate their ability to maintain, restore and protect the floodplains on a continuous basis in accordance with Section 3(d) Executive Order 11988 of May 24, 1977 (42 F.R. 26951) (Floodplain Management) and BLM Manual 7221.06D1. The conveyance document will (1) reference those uses that are restricted under Federal, State or local floodplain regulations; and (2) shall include other appropriate restrictions to the uses of properties by Nephi City Corporation and any successors.

2. The following indemnification statement signed by the Nephi City Mayor:

"The City of Nephi, its successors or assigns, assumes all liability for and shall defend, indemnify, and save harmless the United States and its officers, agents, representatives, and employees (hereinafter referred to in this clause as the United States), from

all claims, loss, damage, actions, causes of action, expense, and liability (hereinafter referred to in this clause as claims) resulting from, brought for, or on account of, any personal injury, threat of personal injury, or property damage received or sustained by any person or persons (including the patentee's employees) or property growing out of, occurring, or attributable directly or indirectly, to the disposal of solid waste on, or in the release of hazardous substances from T. 13 S., R. 1 W., Sec. 15, W $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, regardless of whether such claims shall be attributable to: (1) the concurrent, contributory, or partial fault, failure, or negligence of the United States, or (2) the sole fault, failure, or negligence of the United States."

Failure of Nephi City Corporation to submit the full purchase price within the time allowed will result in cancellation of the sale and forfeiture of any deposits. The public lands would be withdrawn from sale and the City of Nephi would be required to bring the existing 20 acre landfill site into compliance with Environmental Protection Agency (EPA) landfill regulations. Otherwise, R&PP lease UTU-51861 may be terminated. If the lease is terminated the existing landfill site would be closed and the City of Nephi would then be required to remove all facilities and rehabilitate the disturbed public land in accordance with EPA and BLM rules and regulations. The R&PP classification would terminate. The public lands would then continue under the jurisdiction and management of the Bureau of Land Management and become subject to the public land laws and general mining laws.

Detailed information concerning these reservations as well as specific terms and conditions of the sale are available for review at the House Range and Warm Springs Resource Areas, Bureau of Land Management, 35 East 500 North, Fillmore, Utah 84631.

For a period of 45 days from the date of publication of this notice in the **Federal Register**, interested parties may submit comments to the Area Manager, House Range and Warm Springs Resource Areas, at the above address. In the absence of timely objections, this proposal shall become the final determination of the Department of the Interior.

Dated: March 20, 1995.

Samuel R. Rowley,

Associate District Manager.

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