

also be subject to the higher fines provided for by 18 U.S.C. 3571.

**Rachel A. Carver,**

*Acting, District Manager, Prineville District, Oregon, Bureau of Land Management.*

[FR Doc. 03-600 Filed 1-10-03; 8:45 am]

BILLING CODE 4310-33-P

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[NM-930-1310-01; NMNM 105874]

#### New Mexico: Proposed Reinstatement of Terminated Oil and Gas Lease

Under the provisions of Public Law 97-451, a petition for reinstatement of oil and gas lease NMNM 105874 for lands in Eddy County, New Mexico, was timely filed and was accompanied by all required rentals and royalties accruing from March 1, 2002, the date of termination.

No valid lease has been issued affecting the lands. The lessee has agreed to new lease terms for rentals and royalties at rates of \$10.00 per acre or fraction thereof and 16 $\frac{2}{3}$  percent, respectively. The lessee has paid the required \$500 administrative fee and has reimbursed the Bureau of Land Management for the cost of this **Federal Register** notice. The Lessee has met all the requirements for reinstatement of the lease as set out in sections 31(d) and (e) of the Mineral Leasing Act of 1920 (30 U.S.C. 188), and the Bureau of Land Management is proposing to reinstate the lease effective March 1, 2002, subject to the original terms and conditions of the lease and the increased rental and royalty rates cited above.

**FOR FURTHER INFORMATION CONTACT:** Lourdes B. Ortiz, BLM, New Mexico State Office, (505) 438-7586.

Dated: November 22, 2002.

**Lourdes B. Ortiz,**

*Land Law Examiner.*

[FR Doc. 03-593 Filed 1-10-03; 8:45 am]

BILLING CODE 4310-FB-P

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[NM-930-1430-ET; NMNM 20]

#### Public Land Order No. 7550; Revocation of Public Land Order No. 4146; New Mexico

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Public land order.

**SUMMARY:** This order revokes a public land order in its entirety as to 190.36 acres withdrawn to protect the Mexican Duck Habitat Development Project. The withdrawal is no longer needed. The lands will be opened to surface entry and mining.

**EFFECTIVE DATE:** February 12, 2003.

**FOR FURTHER INFORMATION CONTACT:** Jeanette Espinosa, BLM New Mexico State Office, 1474 Rodeo Road, Santa Fe, New Mexico 87502, 505-438-7597.

**SUPPLEMENTARY INFORMATION:** The Mexican Duck has been removed from the threatened and endangered species lists for both the State of New Mexico and the Federal Government. Therefore, the withdrawal is no longer needed.

#### Order

By virtue of the authority vested in the Secretary of the Interior by Section 204 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714 (1994), it is ordered as follows:

1. Public Land Order No. 4146, which withdrew 190.36 acres to protect the Mexican Duck Habitat Development Project, is hereby revoked in its entirety as it affects the following described lands:

##### New Mexico Principal Meridian

T. 25 S., R. 21 W.,

Sec. 31, lots 3 and 4.

T. 26 S., R. 22 W.,

Sec. 1, lots 8 and 9, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ .

The area described contains 190.36 acres, in Hidalgo County.

2. At 10 a.m. on February 12, 2003, the lands will be opened to the operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, other segregations of record, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on February 12, 2003, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

3. At 10 a.m. on February 12, 2003, the lands will be opened to location and entry under the United States mining laws, subject to valid existing rights, the provisions of existing withdrawals, other segregations of record, and the requirements of applicable law. Appropriation of any of the lands included in this order under the general mining laws prior to the date and time of restoration is unauthorized. Any such attempted appropriation, including attempted adverse possession under 30 U.S.C. 38 (1994), shall vest no rights against the United States. Acts required to establish a location and to initiate a

right of possession are governed by State law where not in conflict with Federal law. The Bureau of Land Management will not intervene in disputes between rival locators over possessory rights since Congress has provided for such determination in local courts.

Dated: December 23, 2002.

**Rebecca W. Watson,**

*Assistant Secretary—Land and Minerals Management.*

[FR Doc. 03-598 Filed 1-10-03; 8:45 am]

BILLING CODE 4310-FB-P

## DEPARTMENT OF THE INTERIOR

### Bureau Of Land Management

[NV-930-1430-FM; N-74701]

#### Esmeralda County, Nevada; Notice of Realty Action: Termination of Segregation; Nevada

**AGENCY:** Bureau of Land Management.

**ACTION:** Notice of termination of segregation.

**SUMMARY:** This notice terminates the segregative effect on land known as the Chiatovich Land Exchange and opens the land to operation under the public land laws and the mining laws.

**EFFECTIVE DATE:** February 12, 2003.

**ADDRESSES:** Written comments should be addressed to: Bureau of Land Management, William S. Fisher, Assistant Field Manager, Tonopah Field Station, Post Office Box 911, Tonopah, NV 89049-0911.

**FOR FURTHER INFORMATION CONTACT:** Wendy Barlow, Realty Specialist, at the above address or telephone (775) 482-7806.

**SUPPLEMENTARY INFORMATION:** Pursuant to the authority delegated by appendix 1 of Bureau of Land Management Manual 1203 dated November 25, 1998, that portion identified below as being part of the Chiatovich Exchange is hereby terminated in its entirety:

#### Mount Diablo Meridian, Nevada

##### Silver Peak

T. 2 S., R. 39 E.,

Sec. 15, S $\frac{1}{2}$ SE $\frac{1}{4}$ ;

Sec. 21, S $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ ;

Sec. 22, E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ ,

N $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ ,

S $\frac{1}{2}$ N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ ,

S $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ ,

SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ ,

W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ , (portion of)

NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ , (portion of)

SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ ,

E $\frac{1}{2}$ E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ .

Containing 440.0 acres, more or less in Esmeralda County.

*Goldfield*

T. 2 S., R. 42 E.,

Sec. 35, E $\frac{1}{2}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ .

Containing 20.0 acres more or less in Esmeralda County.

Notation to the public land records effective on October 22, 2001, segregated the proposed exchange lands from all other forms of appropriation under the public land laws, including location under the United States mining laws and the mineral leasing laws. The exchange proposal has been withdrawn, therefore, is no longer needed. At 9 a.m. on February 12, 2003, the lands described above will be opened to location and entry under the United States mining laws, subject to valid existing rights, the provisions of existing withdrawals, other segregations of record, and the requirements of applicable law. Appropriation of lands under the general mining laws prior to the date and time of restoration is unauthorized. Any such attempted appropriation, including adverse possession under 30 U.S.C. 38, shall vest no rights against the United States. Acts required to establish a location and to initiate a right of possession are governed by State law where not in conflict with Federal law. The Bureau of Land Management will not intervene in disputes between rival locators over possessory rights since Congress has provided for such determinations in local courts.

Dated: November 13, 2002.

**William S. Fisher,**

*Assistant Field Manager, Tonopah.*

[FR Doc. 03-595 Filed 1-10-03; 8:45 am]

BILLING CODE 4310-HC-P

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**DEPARTMENT OF THE INTERIOR**

**Bureau of Land Management**

[NV-930-1430-ES; N-76308]

**Esmeralda County, Nevada; Notice of Realty Action: Recreation and Public Purposes (R&PP) Act Classification; Nevada**

**AGENCY:** Bureau of Land Management.

**ACTION:** Recreation and Public Purposes (R&PP) Act Classification.

**SUMMARY:** The following public lands in Dyer, Esmeralda County, Nevada, have been examined and found suitable for classification for lease or conveyance to the Esmeralda County Parks and Recreation Department under the provisions of the Recreation and Public

Purposes (R&PP) Act, as amended (43 U.S.C. 869 *et seq.*), and under sec. 7 of the Taylor Grazing Act, 43 U.S.C. 315 f, and E.O. 6910. The Esmeralda County Parks and Recreation Department proposes to use the land for community expansion development of the fairground and rodeo complex, recreational complex, and the lands for a public trails park.

**Mount Diablo Meridian, Nevada**

T. 3 S., R. 35 E.,

Sec. 9, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ .

Containing 310 acres more or less.

This action is a motion by the Bureau of Land Management to make available lands identified and designated as disposal lands under the Tonopah Resource Management Plan, dated October 6, 1997, and are not needed for Federal purposes. Lease or conveyance of the lands for recreational or public purpose use is consistent with current BLM land use planning and would be in the public interest.

The lease or conveyance of the lands will be subject to the following terms, conditions, and reservations:

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

2. Provisions of the Recreation and Public Purposes Act and to all applicable regulations of the Secretary of the Interior.

3. All minerals shall be reserved to the United States, together with the right to prospect for, mine and remove the minerals.

4. All valid existing rights documented on the official public land records at the time of lease/patent issuance.

5. A right-of-way authorized under the Act of October 21, 1976, 90 Stat. 2776 (43 U.S.C. 1761) for powerline purposes granted to Valley Electric Association, its successor or assignees, by right-of-way No. N-55278.

6. A right-of-way authorized under the Act of October 21, 1976, 90 Stat. 2776 (43 U.S.C. 1761) for powerline purposes granted to Valley Electric Association, its successor or assignees, by right-of-way No. N-051579.

7. A right-of-way authorized under the Act of October 21, 1976, 90 Stat. 2776 (43 U.S.C. 1761) for telephone and telegraph purposes granted to Nevada Bell, its successor or assignees, by right-of-way No. N-035353. Expires June 29, 2032.

8. A right-of-way authorized for a Federal Aid Highway (sec 107) under the Act of August 27, 1958, as amended,

72 Stat. 892 (23 U.S.C. 107(D)), by right-of-way No. NVCC-0 020855 issued to the Nevada Department of Transportation.

9. Any other reservations that the authorized officer determines appropriate to ensure public access and proper management of Federal lands and interests therein.

Upon publication of this notice in the **Federal Register**, the lands will be segregated from all other forms of appropriation under the public land laws, including the general mining laws, except for lease or conveyance under the Recreation and Public Purposes Act and leasing under the mineral leasing laws. For a period of 45 days from the date of publication of this notice, interested persons may submit comments regarding the proposed lease/conveyance or classification of the lands to the Assistant Field Manager, Tonopah Field Office, Post Office Box 911, Tonopah, Nevada 89049-0911.

*Classification Comments:* Interested persons may submit comments involving the suitability of the land for community expansion of the development of the fairground and rodeo complex, recreational complex, and the lands for a public trails park. Comments on the classification are restricted to whether the land is physically suited for the proposal, whether the use will maximize the future use or uses of the land, whether the use is consistent with local planning and zoning, or if the use is consistent with State and Federal programs.

Any adverse comments will be reviewed by the State Director. In the absence of any adverse comments, the classification will become effective 60 days from the date of publication of this notice.

Dated: November 12, 2002.

**William S. Fisher,**

*Assistant Field Manager, Tonopah.*

[FR Doc. 03-596 Filed 1-10-03; 8:45 am]

BILLING CODE 4310-HC-P

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**DEPARTMENT OF THE INTERIOR**

**Bureau of Land Management**

[NV-930-1430-ES; NV-55282]

**Notice of Realty Action: Recreation and Public Purposes (R&PP) Act Classification; Lease and Conveyance of Public Lands in Esmeralda County, Dyer, NV**

**AGENCY:** Bureau of Land Management.

**ACTION:** Classification of public land for recreation and public purposes lease and conveyance.