

agenda include review and discussion of requests for input by BLM during the RAC's Field Tour of the Murphy Sub-region located in Owyhee County. Future sub-group meetings will be held in order to provide opportunities for the public and interested stakeholder groups to continue to provide input into future BLM actions related to OHV and Recreation Transportation Management in this and other areas in the District. Public notice of future meetings will be provided through news releases and announcements in the local media. Agenda items and location may change due to changing circumstances, including wildfire emergencies. All meetings are open to the public. The public may present written comments to the Sub-group. Each Sub-group meeting will also have time allocated for hearing public comments. Depending on the number of persons wishing to comment and time available, the time for individual oral comments may be limited. Individuals who plan to attend and need special assistance, such as sign language interpretation, tour transportation or other reasonable accommodations, should contact the BLM Coordinators as provided above. Expedited publication is requested to give the public adequate notice.

Dated: July 28, 2008.

**Aden L. Seidlitz,**  
District Manager.

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BILLING CODE 4310-GG-P

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[NV-056-5853-EU; N-83621; 8-08807;  
TAS:14X5232]

#### Notice of Realty Action: Direct Sale of Public Lands in Clark County, NV

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

**ACTION:** Notice.

**SUMMARY:** The Bureau of Land Management (BLM) proposes to offer by non-competitive sale one parcel of land in northwest Las Vegas, Nevada totaling approximately 5.19 acres to Nevada Power Company (NPC). This land has been examined and found suitable for disposal utilizing direct sale procedures. The authority for the sale is under Sections 203 and 209 of the Federal Land Policy and Management Act of 1976 (FLPMA), 43 U.S.C. 1713 and 1719, respectively, and BLM land sale and mineral conveyance regulations at 43 CFR 2710 and 2720.

**DATES:** Written comments regarding the proposed sale or the environmental assessment (EA) will be accepted until September 15, 2008.

**ADDRESSES:** Mail written comments to the BLM Field Manager, Las Vegas Field Office, 4701 N. Torrey Pines Drive, Las Vegas, NV 89130.

**FOR FURTHER INFORMATION CONTACT:** Manuela Johnson at (702) 515-5224.

**SUPPLEMENTARY INFORMATION:** The following described land, parcel N-83621, is located in North Las Vegas at the northeast corner of Grand Teton Drive and Aliante Parkway. The parcel is legally described as:

#### Mount Diablo Meridian, Nevada

T. 19 S., R. 61 E.,

Sec. 8, portion of lot 13 (N1/2SW1/4 of lot 13).

The area described contains 5.19 acres, more or less.

This parcel of land is offered for sale to NPC at no less than the fair market value (FMV) of \$467,000 as determined by the authorized officer. An appraisal report has been prepared by a state certified appraiser for the purposes of establishing FMV.

This sale is in conformance with the Las Vegas Resource Management Plan (RMP), approved October 5, 1998. BLM has determined that the proposed action conforms to the land use plan decision, LD-1, in that RMP. The land contains no other known public values. The parcel has not been identified for transfer to the State or any other local government or non-profit organization. The EA, master title plat, map, and approved appraisal report for the proposed sale are available for review at the Las Vegas Field Office.

A direct sale (without competition) may be used when, in the opinion of the authorized officer, a competitive sale is not appropriate and the public interest would best be served by direct sale. Examples include, but are not limited to: (1) A tract identified for sale that is an integral part of a project of public importance and speculative bidding would jeopardize a timely completion and economic viability of the project; and (2) there is a need to recognize an authorized use such as an existing business which could suffer a substantial economic loss if the tract were purchased by other than the authorized user.

An existing NPC authorized site-type right-of-way, N-76305, known as the Grand Teton substation encumbers the entire sale parcel. This substation lies in the northwestern portion of Government Lot 13 and provides support for the community and its continued

development in North Las Vegas and Clark County. This substation contributes an essential service to the neighboring area and its surroundings. The substation consists of transformers, insulators, busses, switches, breakers, and distribution feeders. It generates power and electrical energy for use in a one-mile radius. The proponent proposes to construct a concrete wall along the perimeter of the substation.

The sale parcel was analyzed in the "Las Vegas Land Disposal Boundary Environmental Impact Statement," approved December 23, 2004 (EIS), which is available for public review at the Las Vegas Field Office. The parcel was analyzed in an EA for this sale, which tiers to the EIS.

Certain minerals for this parcel will be reserved to the United States in accordance with BLM approved Mineral Potential Report, dated October 5, 2006. Information pertaining to the reservation of minerals specific to the parcel is located in the case file and available for review at the Las Vegas Field Office.

*Terms and Conditions of Sale:* The patent issued would contain the following numbered reservations, covenants, terms and conditions:

1. All oil and gas and saleable minerals are reserved to the United States, its permittees, licensees and lessees, together with the right to prospect for, mine, and remove the minerals under applicable law and such regulations as the Secretary of the Interior may prescribe, along with all necessary access and exit;

2. A right-of-way is reserved for ditches and canals constructed by authority of the United States under the Act of August 30, 1890 (43 U.S.C. 945);

3. The parcel is subject to valid existing rights;

4. Those rights for fiber optic line purposes which have been granted to Nevada Power Co., its successors and assigns, by right-of-way No. N-76304, pursuant to the Act of October 21, 1976 (43 U.S.C. 1761);

5. Those rights for substation, transmission line and access road purposes which have been granted to Nevada Power Co., its successors and assigns, by right-of-way No. N-76305, pursuant to the Act of February 15, 1901 (43 U.S.C. 959);

6. Those rights for road, utility and drainage purposes which have been granted to the City of North Las Vegas, its successors and assigns, by right-of-way No. N-76357, pursuant to the Act of October 21, 1976 (43 U.S.C. 1761);

7. Those rights for underground water pipeline purposes which have been granted to Southern Nevada Water

Authority, its successors and assigns, by right-of-way No. N-66225, pursuant to the Act of October 21, 1976 (43 U.S.C. 1761);

8. Those rights for underground telephone facilities purposes which have been granted to Central Telephone Company, its successors and assigns, by right-of-way No. N-77675, pursuant to the Act of October 21, 1976 (43 U.S.C. 1761);

9. By accepting this patent, the patentee agrees to indemnify, defend and hold the United States harmless from any costs, damages, claims, causes of action, penalties, fines, liabilities, and judgments of any kind or nature arising from the past, present, and future acts or omissions of the patentee, its employees, agents, contractors, or lessees, or any third-party, arising out of, or in connection with, the patentees use, occupancy, or operations on the patented real property. This indemnification and hold harmless agreement includes, but is not limited to, acts and omissions of the patentee, its employees, agents, contractors, or lessees, or third party arising out of or in connection with the use and/or occupancy of the patented real property resulting in: (1) Violations of federal, state, and local laws and regulations applicable to the real property; (2) Judgments, claims or demands of any kind assessed against the United States; (3) Costs, expenses, damages of any kind incurred by the United States; (4) Other releases or threatened releases on, into or under land, property and other interests of the United States by solid or hazardous waste(s) and/or hazardous substances(s), as defined by federal or state environmental laws; (5) Other activities by which solid or hazardous substances or wastes, as defined by federal and state environmental laws were generated, released, stored, used or otherwise disposed of on the patented real property, and any cleanup response, remedial action, or other actions related in any manner to said solid or hazardous substances or wastes; (6) Or natural resource damages as defined by federal and state law. This covenant shall be construed as running with the patented real property, and may be enforced by the United States in a court of competent jurisdiction; and

10. Pursuant to the requirements established by section 120(h) of the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. 9620(h) (CERCLA), as amended by the Superfund Amendments and Reauthorization Act of 1988, 100 Stat. 1670, notice is hereby given that the above-described lands have been examined and no evidence

was found to indicate that any hazardous substances have been stored for one year or more, nor had any hazardous substances been disposed of or released on the subject property.

The parcel is subject to reservations for road, public utilities and flood control purposes, both existing and proposed, in accordance with the local governing entities' transportation plans. No warranty of any kind, express or implied, is given by the United States as to the title, physical condition, or potential use of the parcel of land proposed for sale, and the conveyance of any such parcel will not be on a contingency basis. It is the buyer's responsibility to be aware of all applicable federal, state and local government policies and regulations that would affect the subject lands. It is also the buyer's responsibility to be aware of existing or prospective uses of nearby properties. Any land lacking access from a public road or highway will be conveyed as such, and future access acquisition will be the responsibility of the buyer.

Federal law requires that conveyees must be: (a) A citizen of the United States 18 years of age or over; (b) a corporation subject to the laws of any State or of the United States; (c) a State, State instrumentality or political subdivision authorized to hold property; and (d) an entity legally capable of conveying and holding lands or interests therein under the laws of the State within which the lands to be conveyed are located. Where applicable, the entity shall also meet the requirements of paragraphs (a) and (b) of this section.

On publication of this notice and until completion of the sale, the BLM is no longer accepting land use applications affecting the parcel identified, except applications for the amendment of previously filed right-of-way applications or existing authorizations to increase the term of the grants in accordance with 43 CFR 2807.15 and 2886.15. Encumbrances that may appear in the BLM files for the parcel proposed for sale are available for review during business hours, 7:30 a.m. to 4:30 p.m., Pacific Time, Monday through Friday, at the Las Vegas Field Office.

Proof of citizenship is evidenced by presenting a birth certificate, passport, or naturalization papers. Failure to submit the above requested documents within 30 days from the proposed sale offer shall result in the cancellation of the sale.

The parcel may be subject to applications received prior to publication of this notice if processing

the application would have no adverse effect on the marketability of title, or the FMV of the parcel. Encumbrances of records, appearing in the BLM public files for the parcel for sale, are available for review during business hours, 7:30 a.m. to 4:30 p.m., Pacific Time, Monday through Friday, at the Las Vegas Field Office. Subject to limitations prescribed by law and regulation, and prior to patent issuance, a holder of any right-of-way within the parcel may be given the opportunity to amend the right-of-way for conversion to a new term, including perpetuity, if applicable, or to an easement.

BLM will notify valid existing right-of-way holders of their ability to convert their compliant rights-of-way to perpetual rights-of-way or easements. Each valid holder will be notified in writing of their rights and then must apply for the conversion of their current authorization.

Unless other satisfactory arrangements are approved in advance by a BLM authorized officer, conveyance of title shall be through the use of escrow. Designation of the escrow agent shall be through mutual agreement between the BLM and the prospective patentee, and costs of escrow shall be borne by the prospective patentee.

Requests for all escrow instructions must be received by the Las Vegas Field Office prior to 30 days before the prospective patentee's scheduled closing date. There are no exceptions.

BLM will not sign any documents related to 1031 Exchange transactions. The timing for completion of the exchange is the prospective patentee's responsibility in accordance with Internal Revenue Services regulations. BLM is not a party to any 1031 Exchange.

In the event of a sale, the unreserved mineral interests will be conveyed simultaneously with the sale of the land. These unreserved mineral interests have been determined to have no known mineral value pursuant to 43 CFR 2720.0-6 and 2720.2(a). Acceptance of the sale offer will constitute an application for conveyance of those unreserved mineral interests. The purchaser will be required to pay a \$50 non-refundable filing fee for conveyance of the available mineral interests. In accordance with BLM's authority to conduct direct sales, BLM is borrowing some of the competitive bid procedures as set forth below. The purchaser will have until 4 p.m., Pacific Time, 30 days from the date of receiving the sale offer to accept the offer and submit a deposit of 20 percent of the purchase price, the \$50 filing fee for

conveyance of mineral interests, and payment of publication costs to the Las Vegas Field Office. The purchaser must remit the remainder of the purchase price within 180 days from the date of receiving the sale offer to the Las Vegas Field Office. Payments must be received by certified check, postal money order, bank draft, or cashier's check payable to the U.S. Department of the Interior-BLM. Failure to meet conditions established for this sale will void the sale and any monies received will be forfeited. Arrangements for electronic fund transfer to BLM for the balance due shall be made a minimum of two weeks prior to the date you wish to make payment.

The BLM may accept or reject any or all offers to purchase any parcel, or may withdraw any parcel of land or interest therein from sale, if, in the opinion of the authorized officer, consummation of the sale would not be fully consistent with FLPMA or other applicable laws or is determined not to be in the public interest.

The parcel of land will not be offered for sale prior to 60 days from the date of publication of this notice. Only written comments submitted by postal service or overnight mail will be considered as properly filed. Electronic mail, facsimile, or telephone comments will not be considered.

Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Any adverse comments regarding the proposed sale will be reviewed by the BLM Nevada State Director, who may sustain, vacate, or modify this realty action and issue a final determination. In the absence of timely filed objections, this realty action will become the final determination of the Department of the Interior.

**Authority:** 43 CFR part 2711.

Dated: July 14, 2008.

**Mary Jo Rugwell,**

Manager, Las Vegas Field Office.

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**BILLING CODE 4310-HC-P**

## DEPARTMENT OF THE INTERIOR

### Minerals Management Service

[Docket No. MMS-2008-MRM-0029]

#### Agency Information Collection Activities: Proposed Collection, Comment Request

**AGENCY:** Minerals Management Service (MMS), Interior.

**ACTION:** Notice of an extension of a currently approved information collection (OMB Control Number 1010-0103).

**SUMMARY:** To comply with the Paperwork Reduction Act of 1995 (PRA), we are inviting comments on a collection of information that we will submit to the Office of Management and Budget (OMB) for review and approval. We changed the title of this information collection request (ICR) to meet OMB requirements. The new title of this ICR is "30 CFR Parts 202, 206, and 207, Indian Oil and Gas Valuation."

**DATES:** Submit written comments on or before *September 2, 2008*.

**ADDRESSES:** You may submit comments by the following methods:

- Electronically go to <http://www.regulations.gov>. In the "Comment or Submission" column, enter "MMS-2008-MRM-0029" to view supporting and related materials for this ICR. Click on "Send a comment or submission" link to submit public comments. Information on using [Regulations.gov](http://www.regulations.gov), including instructions for accessing documents, submitting comments, and viewing the docket after the close of the comment period, is available through the site's "User Tips" link. All comments submitted will be posted to the docket.

- Mail comments to Hyla Hurst, Regulatory Specialist, Minerals Management Service, Minerals Revenue Management, P.O. Box 25165, MS 302B2, Denver, Colorado 80225. Please reference ICR 1010-0103 in your comments.

- Hand-carry comments or use an overnight courier service. Our courier address is Building 85, Room A-614, Denver Federal Center, West 6th Ave. and Kipling Blvd., Denver, Colorado 80225. Please reference ICR 1010-0103 in your comments.

**FOR FURTHER INFORMATION CONTACT:** Hyla Hurst, telephone (303) 231-3495, or e-mail [Hyla.Hurst@mms.gov](mailto:Hyla.Hurst@mms.gov). You may also contact Hyla Hurst to obtain copies, at no cost, of (1) The ICR, (2) any associated forms, and (3) the regulations that require the subject collection of information.

#### SUPPLEMENTARY INFORMATION:

**Title:** 30 CFR Parts 202, 206, and 207, Indian Oil and Gas Valuation.

**OMB Control Number:** 1010-0103.

**Bureau Form Number:** Forms MMS-4109, MMS-4110, MMS-4295, MMS-4410, and MMS-4411.

**Abstract:** The Secretary of the U.S. Department of the Interior (Secretary) is responsible for matters relevant to mineral resource development on Federal and Indian lands and the Outer Continental Shelf (OCS). Under the Mineral Leasing Act (30 U.S.C. 1923), the Indian Mineral Development Act of 1982 (25 U.S.C. 2103), and the Outer Continental Shelf Lands Act (43 U.S.C. 1353), the Secretary is responsible for (1) Managing the production of minerals from Federal and Indian lands and the OCS; (2) collecting royalties and other mineral revenues from lessees who produce minerals; and (3) distributing the funds collected in accordance with applicable laws. The Secretary also has a trust responsibility to manage Indian lands and seek advice and information from Indian beneficiaries. The MMS performs the minerals revenue management functions and assists the Secretary in carrying out the Department's trust responsibility for Indian lands. Applicable laws pertaining to mineral royalties are located on our Web site at [http://www.mrm.mms.gov/Laws\\_R\\_D/PublicLawsAMR.htm](http://www.mrm.mms.gov/Laws_R_D/PublicLawsAMR.htm).

Regulations at 30 CFR part 202, subparts C and J, pertain to royalties; part 206, subparts B and E, govern the valuation of oil and gas produced from leases on Indian lands; and part 207 pertains to recordkeeping. Indian tribes and individual Indian mineral owners receive all royalties generated from their lands. Determining product valuation is essential to ensure that Indian tribes and individual Indian mineral owners receive payment on the full value of the minerals removed from their lands. Failure to collect the data described in this information collection could result in the undervaluation of leased minerals on Indian lands. All data reported is subject to subsequent audit and adjustment.

#### Indian Oil

The regulations apply to all oil production from Indian oil and gas leases, except leases on the Osage Indian Reservation. The regulations provide that lessees determine the value of oil based on the higher of: (1) The gross proceeds under an arm's-length contract, or (2) major portion analysis. These oil valuation methods are eligible for applicable transportation allowances. From information collected