

maintenance of the Project under rules and regulations approved by the Secretary.

As of August of 2002, there were 134,788 total acres in the project; 127,535 of which were assessed acres, with 7,252 designated as temporarily non-assessed acres. Approximately 10 percent of the project's irrigated lands are held in trust by the United States for the benefit of individual Indian landowners and for the Confederated Salish and Kootenai tribes. Trust land totals 11,771 acres, while land in fee status totals 115,764 acres. The primary source of the water for the Project originates from the Mission Mountains which border the east side of the reservation. Project facilities include 17 major storage reservoirs, 1,300 miles of canals and laterals and more than 10,000 structures. The project is divided into the Mission, Post, Pablo, Camas, and Jocko divisions. Primary irrigated crops are hay and alfalfa, grains, potatoes, canola, and some fruit orchards.

Currently, the Bureau of Indian Affairs Flathead Agency Superintendent is the Officer in Charge of the Project and administers activities through the Irrigation Systems Manager. The Irrigation Systems Manager supervises the operation and maintenance of the Project works.

Non-Indian irrigation interests are represented by three irrigation districts, the Flathead Irrigation District, the Mission Irrigation District, and the Jocko Valley Irrigation District. These Districts signed repayment contracts with the United States in 1928, 1931, and 1934 respectively, and are collectively represented by the Flathead Joint Board of Control (FJBC), which is chartered under state law and represents only owners of fee lands. Individual Indians and the tribes that irrigate lands held in trust by the United States are statutorily excluded from representation by the FJBC.

Repayment of Project construction conditions were fulfilled in early January 2004. The Bureau of Indian Affairs, the tribes and the FJBC are developing proposed standard operating procedures for the Project and are proposing to contract the management of the Project under a Cooperating Management Entity, made up of representatives from the FJBC and the tribes with BIA providing oversight functions and maintaining its traditional role as trustee.

The Bureau of Indian Affairs has been delegated the responsibility to serve as the Lead Agency for National Environmental Policy Act compliance in connection with the proposed

operations and maintenance of the Flathead Indian Irrigation project upon transfer. Issues to be addressed in the environmental analysis include, but are not limited to, irrigation and farming, rights-of-ways, treaty-protected fisheries, aquatic habitat, biological resources, wildlife habitat, and Indian traditional and cultural properties and resources.

Alternatives to the proposed operations and maintenance of the project to be examined in the EIS may include a variety of measures, such as various Project management control structures, certain operating and maintenance methods or procedures, system rehabilitation, and alternative water delivery regimes. The range of environmental issues and alternatives will be further developed based upon comments received during the scoping process.

**Authority:** This notice is published in accordance with section 1501.7, Council on Environmental Quality Regulations (40 CFR parts 1500 through 1508) implementing the procedural requirements of the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 *et seq.*) and the Department of the Interior Manual (516 DM 1.6) and is within in the exercise of authority delegated to the Assistant Secretary—Indian Affairs by 209 DM 8.1.

Dated: May 27, 2004.

**David W. Anderson,**

*Assistant Secretary—Indian Affairs.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[ES-930-04-1310-MSES 047099]

#### Proposed Reinstatement of Terminated Oil and Gas Lease, Mississippi

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

**ACTION:** Notice.

**SUMMARY:** Under the provisions of Public Law 97-451, a petition for reinstatement of oil and gas lease, MSES 047099, Forrest County, Desoto N.F., Mississippi, was timely filed and accompanied by all required rentals and royalties. No valid lease has been issued affecting the lands. The lessee has agreed to new lease terms for rental and royalties at rates of \$10 per acre and 16 $\frac{2}{3}$  percent. Payment of \$500 in administrative fees and a \$155 publication fee has been made.

**FOR FURTHER INFORMATION, CONTACT:**

Ann Dickerson, Land Law Examiner, BLM Eastern States Office, 7450 Boston

Boulevard, Springfield, Virginia at (703) 440-1512.

**SUPPLEMENTARY INFORMATION:** The Bureau of Land Management is proposing to reinstate the lease effective the date of termination, May 1, 2002, subject to the original terms and conditions of the lease and the increased rental and royalty rates cited above. This is in accordance with section 31(d) and (e) of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 199(d) and (e)).

Dated: April 14, 2004.

**Michael D. Nedd,**

*State Director.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[NM-010-1430-ES; NMMN 100202]

#### Notice of Realty Action; Recreation and Public Purpose (R&PP) Act Classification; New Mexico

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

**ACTION:** Notice of realty action.

**SUMMARY:** The following public lands in Sandoval County, New Mexico have been examined and found suitable for classification for patent to the Cuba Soil and Water Conservation District under the provisions of the Recreation and Public Purposes Act, as amended (43 U.S.C. 869 *et seq.*). The Cuba Soil and Water Conservation District proposes to use the lands for an outdoor classroom and administrative site.

#### New Mexico Principal Meridian

T. 20 N., R. 1 W., Sec. 5, NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$  and W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$

Containing 15.00 acres, more or less.

The lands are not needed for Federal purposes. Patent is consistent with current BLM land use planning and would be in the public interest.

The patent will be subject to the following terms, conditions and reservations:

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

2. A right-of-way for ditches and canals constructed by the authority of the United States.

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 patent issuance.