

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.*

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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.*

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## 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**SUMMARY:** This order revokes a public land order in its entirety as to 190.36 acres withdrawn to protect the Mexican Duck Habitat Development Project.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.*

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## 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 $\frac{1}{4}$ .