

section 4(c) of the SNPLMA of 1998, the subject lands are withdrawn from location and entry, under the mining laws and from operation under the mineral leasing and geothermal leasing laws until such time as the Secretary terminates the withdrawal or the lands are patented.

Except for the reservation listed below, the mineral interests having no known mineral value will be offered for conveyance simultaneously with the sale of the lands. Acceptance of a direct sale offer will constitute an application for conveyance of those mineral interests. The applicant will be required to pay a \$50.00 non-returnable filing fee for conveyance of the available mineral interests. The land will be sold and the patent, when issued, will contain the following terms, reservations, and covenants:

1. A right-of-way reserved for ditches and canals constructed or to be constructed, by the authority of the United States, in accordance with section 1 of the Act of August 30, 1890 (43 U.S.C. 945).

2. All leaseable and saleable mineral deposits on the land are reserved, together with the right of the United States, its permittees, licensees, and lessees to prospect for, mine, and remove the minerals owned by the United States under applicable law and any regulations that the Secretary of the Interior may prescribe, including all necessary access and exit rights.

3. The lands are conveyed subject to zoning and subdivision laws, other state and local land use laws and, whether or not of record, all valid existing rights and claims.

4. The lands are conveyed subject to right-of-way for roads, public utilities and flood control purposes, existing and proposed in accordance with state and the local governing entities' Transportation Plans.

5. The purchaser/patentee, by accepting a patent, covenants and 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 or their employees, agents, contractors, or lessees, or any third-party, arising from or in connection with the patented real property which has already resulted or does hereafter result in: (1) Violations of federal, state, and local laws and regulations that are now or may in the future become, applicable to the real property; (2) Judgments, claims or demands of any kind assessed against the United States; (3) Costs, expenses, or

damages of any kind incurred by the United States; (4) Releases or threatened releases of solid or hazardous waste(s) and/or hazardous substance(s), as defined by federal or state environmental laws; off, on, into or under land, property and other interests of the United States; (5) Activities by which solid or hazardous wastes, as defined by federal and state environmental laws are 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 wastes; or (6) 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.

Maps delineating the lands are available for public review at the Bureau of Land Management (BLM) Las Vegas Field Office. The appraisal is available for public review at the same office. Upon publication of this notice and until completion of this sale, the BLM is no longer accepting land use applications affecting the lands.

In order to determine the fair market value of the subject public lands through appraisal, certain assumptions have been made of the attributes and limitations of the lands and potential effects of local regulations and policies on potential future land uses. Through publication of this notice, the BLM gives notice that these assumptions may not be endorsed or approved by units of local government. Furthermore, no warranty of any kind shall be given or implied by the United States as to the title or potential uses of the lands proposed to be offered for sale, and conveyance of the subject lands will not be on a contingency basis. It is the buyer's responsibility to be aware of all applicable local government laws, policies and regulations that would affect the subject lands. It is also the buyer's responsibility to be aware of existing or proposed uses of nearby properties. When conveyed out of federal ownership, the lands will be subject to applicable reviews and approvals by the respective unit or units of local government having jurisdiction as to proposed future uses, and any such reviews and approvals will be the responsibility of the buyer. 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.

Detailed information concerning the proposed sale, including the terms of

sales, sale procedures and conditions, planning and environmental documents, is available for review at the Bureau of Land Management, Las Vegas Field Office, 4701 N. Torrey Pines Drive, Las Vegas, NV 89130 or by calling (702) 515-5000.

For a period of 45 days from the date of publication of this notice in the **Federal Register**, the general public and interested parties may submit comments to the Field Manager, Las Vegas Field Office, 4701 North Torrey Pines Drive, Las Vegas, NV 89130. Any adverse comments will be reviewed by the State Director who may sustain, vacate, or modify this realty action. In the absence of any adverse comments, this realty action will become the final determination of the Department of the Interior. The BLM may withdraw any land or interest in the land 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 to not be in the public interest. Any comments received during this process, as well as the commenter's name and address, will be available to the public in the administrative record and/or pursuant to a Freedom of Information Act request. You may indicate for the record that you do not wish your name and/or address made available to the public. Any determination by the BLM to release or withhold the names and/or addresses of those who comment will be made on a case-by-case basis. A commenter's request to have their name and/or address withheld from public release will be honored to the extent permissible by law.

The lands will not be offered for sale until at least 60 days after the date of publication of this notice in the **Federal Register**.

Dated: May 23, 2003.

**Mark T. Morse,**

*Field Manager, Las Vegas Field Office.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[ES-030-1430-BJ] ES-051869, Group 28, Missouri

### Notice of Filing of Plat of Survey; Missouri

The Bureau of Land Management (BLM) will officially file the plat of the survey of a portion of the Wappapello Lake acquisition boundary, Township 28 North, Range 6 East, Fifth Principal