

Sec. 2, lots 7, 8, 9, 10 and 11, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , and NE $\frac{1}{4}$ SE $\frac{1}{4}$ .

EXCEPTING therefrom the following 2 tracts of land:

1. Certificate of Survey No. 2347-M.

2. Amended Tract 1, Certificate of Survey No. 2347-M.

PARCEL H: T. 1 S., R. 26 E.,

Sec. 1, SW $\frac{1}{4}$ ;

EXCEPTING therefrom the following 3 tracts of land:

1. That part conveyed to the State of Montana for the benefit and use of its State Highway Commission by Bargain and Sale Deed recorded September 22, 1950, in Book 377, Page 461, under Document #468688, records of Yellowstone County, Montana, more particularly described as follows:

"A tract of land in SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ , sec. 1, T. 1 S., R. 26 E., more particularly described as follows:

Beginning at a point in the said SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ , which said Point is North 53.0 feet, and West 379.0 feet, more or less, from the South quarter corner of said sec. 1; thence from said point of beginning N. 31°12 $\frac{1}{2}$ ' W., 285.9 feet; thence S 28°47 $\frac{1}{2}$ ' W., 285.9 feet; thence N. 88°47 $\frac{1}{2}$ ' E., 285.9 feet to the point of beginning."

2. That part described as Certificate Of Survey No. 823 on file in the office of the Clerk and Recorder of said County, under Document #627700.

3. Certificate of Survey No. 2865.

PARCEL I: That part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$  of sec. 1 and the NE $\frac{1}{4}$ NE $\frac{1}{4}$  of sec. 2, T. 1 S., R. 26 E., described as Tract 1, of Certificate of Survey No. 2347-M on file in the office of the Clerk and Recorder of said County, under Document #1371733.

EXCEPT Amended Tract 1, Certificate of Survey No. 2347-M.

The area described contains 765 acres in Yellowstone County.

2. This withdrawal will expire 20 years from the effective date of this order unless, as a result of a review conducted before the expiration date pursuant to Section 204(f) of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714(f) (1994), the Secretary determines that the withdrawal shall be extended.

Dated: July 31, 2001.

**Gale A. Norton,**

*Secretary of the Interior.*

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**BILLING CODE 4310-DN-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[OR-054-1220-DC; GP01-0132]

#### **John Day River Management Plan, Two Rivers Resource Management Plan Amendments, John Day Resource Management Plan Amendment, Two Rivers Resource Management Plan Amendment, and Baker Resource Management Plan Amendment**

**AGENCY:** Bureau of Land Management, Central Oregon Field Office, Prineville District, Interior.

**ACTION:** In compliance with the National Environmental Policy Act (NEPA) of 1969 and 40 CFR 1505.2 notice is hereby given that the Bureau of Land Management (BLM) has prepared a Record of Decision (ROD) for John Day River Management Plan, Two Rivers Resource Management Plan Amendment, John Day Two Rivers Resource Management Plan Amendment, and Baker Resource Management Plan Amendment. This document was signed by the Oregon/Washington State Director on February 28, 2001.

**SUMMARY:** The ROD finalizes the proposed decisions identified in the John Day River Proposed Management Plan, Two Rivers and John Day Resource Management Plan Amendments and Final Environmental Impact Statement (FEIS). The ROD also Amends the Baker Resource Management Plan. This additional Amendment does not involve any substantive change in the Decision from the proposed decision in the FEIS but does recognize that about 5 miles of the North Fork of the John Day River within the planning area falls within the Baker Resource Area.

The ROD authorizes certain future non-grazing actions that will require further planning, analysis, and subsequent decisions prior to implementation. Implementation of such decisions may be subject to appeal to the Interior Board of Land Appeals under 43 CFR 4.411. Persons interested in being notified of future actions pertaining to the John Day River should notify the Central Oregon Field Office Manager, Prineville BLM, P.O. Box 550, 3050 NE Third Street, Prineville OR 97754.

All grazing related decisions that were specifically described and/or defined in the RMP are considered final land use plan decisions and are not appealable under 43 CFR 4160 or 43 CFR 4.470. This includes decisions such as adjustments in season of use and

exclusion of livestock from campgrounds. Under 43 CFR 4100.0-5 individuals, groups, or organizations who have an interest in livestock management on specific allotments must identify themselves in writing to the Central Oregon Resource Area Field Office Manager at the above address. Interested publics will be notified of any future grazing decisions and provided the opportunity to comment or appeal as appropriate.

Interested citizens not already on the mailing list may review the Record of Decision via the internet on the Prineville BLM website at <http://www.or.blm.gov/Prineville/>. A hardcopy or a CDROM of the EIS may be requested from the Prineville District by calling (541) 416-6700.

**DATES:** The decision may be implemented on the date of publication.

**FOR FURTHER INFORMATION CONTACT:** Dan Tippy, Prineville BLM at (541) 416-6700.

**SUPPLEMENTARY INFORMATION:** Twenty two protests were submitted during the 30 day protest period for the John Day River Proposed Management Plan, Two Rivers and John Day Resource Management Plan Amendments and Final Environmental Impact Statement. All of the protests were responded to and resolved by the Director of the Bureau of Land Management. Resolution of the protests resulted in two adjustments that are described in the Record of Decision.

The purpose of the Plan and Amendments is to manage BLM lands and to cooperate with other land managers to protect and enhance river values associated with the John Day Wild and Scenic River (located between river mile 10 and river mile 157 of the John Day River) and the South Fork of the John Day Wild and Scenic River (South Fork of the John Day River from about river mile 6 to about river mile 59). The river values associated with the John Day Wild and Scenic River include scenic, recreational, fish, wildlife, geologic, paleontological, and archeological values have been determined to be outstandingly remarkable on the John Day Wild and Scenic River while Botanical and Ecological values were considered significant. On the South Fork of the John Day River scenery, recreation, fish, wildlife, and botanical values are considered outstandingly remarkable while geological, prehistoric uses, and traditional uses are considered significant values.

The decision will protect and enhance river values by modifying existing management of scenery, grazing,

agriculture, forestlands, rangeland restoration, recreation, mining and minerals within the planning area. For other resources and concerns existing management guidance was considered sufficient to protect and enhance river values. The Decision identifies certain lands within the planning area as suitable for disposal or suitable for acquisition.

Dated: July 18, 2001.

**A. Barron Bail,**

*Prineville District Manager.*

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**BILLING CODE 4310-33-P**

## DEPARTMENT OF THE INTERIOR

### Minerals Management Service

#### Agency Information Collection Activities: Submitted for Office of Management and Budget (OMB) Review; Comment Request

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

**ACTION:** Notice of a revision of a currently approved information collection (OMB control number 1010-0061).

**SUMMARY:** To comply with the Paperwork Reduction Act (PRA) of 1995, we are submitting to OMB for review and approval an information collection request (ICR), titled "Oil Transportation Allowances." We are also soliciting comments from the public on this ICR.

**DATES:** Submit written comments on or before September 21, 2001.

**ADDRESSES:** Submit written comments directly to the Office of Information and Regulatory Affairs, OMB, Attention: Desk Officer for the Department of the Interior (OMB Control Number 1010-0061), 725 17th Street, NW., Washington, DC 20503. Also, submit copies of your written comments to Carol Shelby, Regulatory Specialist, Minerals Management Service, MS 320B2, P.O. Box 25165, Denver, Colorado 80225. If you use an overnight courier service, the MMS courier address is Building 85, Room A-614, Denver Federal Center, Denver, Colorado 80225. You may also submit your comments at our email address [mrm.comments@mms.gov](mailto:mrm.comments@mms.gov). Include the title of the information collection and the OMB control number in the

"Attention" line of your comment. Also include your name and return address. Submit electronic comments as an ASCII file avoiding the use of special characters and any form of encryption. If you do not receive a confirmation that we have received your email, contact Ms. Shelby at (303) 231-3151 or FAX (303) 231-3385.

#### FOR FURTHER INFORMATION CONTACT:

Carol Shelby, Regulatory Specialist, telephone (303) 231-3151, FAX (303) 231-3385, email

[Carol.Shelby@mms.gov](mailto:Carol.Shelby@mms.gov).

#### SUPPLEMENTARY INFORMATION:

*Title:* Oil Transportation Allowances.

*OMB Control Number:* 1010-0061.

*Bureau Form Number:* Form MMS-4110.

*Abstract:* The Department of the Interior (DOI) is responsible for matters relevant to mineral resource development on Federal and Indian Lands and the Outer Continental Shelf (OCS). The Secretary of the Interior (Secretary) is responsible for managing the production of minerals from Federal and Indian lands and the OCS; for collecting royalties from lessees who produce minerals; and for distributing the funds collected in accordance with applicable laws. The Secretary also has an Indian trust responsibility to manage Indian lands and seek advice and information from Indian beneficiaries. MMS performs the royalty management functions for the Secretary.

When a company or an individual enters into a lease to explore, develop, produce, and dispose of oil from Indian lands, that company or individual agrees to pay the Indian tribe or allottee a share (royalty) of the value received from production from the leased lands. Royalty rates are specified in the lease document. To determine whether the amount of royalty tendered represents the proper royalty due, it is first necessary to establish the proper value of the oil that is being sold or otherwise disposed of in some other manner, as well as the proper costs associated with allowable deductions.

The lease creates a business relationship between the lessor and the lessee. The lessee is required to report various kinds of information to the lessor relative to the disposition of the leased minerals. Such information is similar to data which are reported to private and public mineral interest owners and are generally available within the records of the lessee or others

involved in developing, transporting, processing, purchasing, or selling of such minerals. The information collected includes data necessary to assure that the royalties that are computed and paid are appropriate.

MMS normally accepts the gross proceeds accruing to the lessee under its arm's-length oil sales contract, less allowable transportation deductions, as representing proper value for royalty. We will also accept, for royalty valuation purposes, the prices in other than arm's-length oil sales contracts, less applicable transportation deductions, if the criteria in the benchmarks at 30 CFR 206.52(c) are met, and provided that the value is not less than gross proceeds accruing to the lessee under 30 CFR 206.52(h). In some circumstances, lessees are authorized to deduct from royalty payments the reasonable actual cost of transporting the royalty portion of the oil from the lease to a delivery point remote from the lease. Transportation allowances are a part of the product valuation process that MMS uses to determine if the lessee is reporting and paying the proper royalty amount.

Submission of the information in this collection (Form MMS-4110) is necessary when claiming a transportation allowance on an Indian lease. MMS is requesting OMB approval for a 3-year extension of this current ICR as well as approval for minor revisions necessary to make Form MMS-4110 compatible with our reengineered financial and compliance systems. Proprietary information that is submitted is protected, and there are no questions of a sensitive nature included in this information collection.

*Frequency:* Annually.

*Estimated Number and Description of Respondents:* 3 Indian lessees.

*Estimated Annual Reporting and Recordkeeping "Hour" Burden:* 5 hours. See the following chart for the components of the burden estimate. In estimating the burden, we assumed that respondents perform certain functions, such as records maintenance, in the normal course of their business activities. These functions are considered usual and customary and therefore are not listed in the following estimate even though records maintenance is an MMS regulatory requirement.