

3.07 What Will Happen if a Bidder Requests Less Than Its Apportioned Amount?

Any bidder requesting less than the calculated apportioned volume will receive the amount of its request and

amounts remaining will be reapportioned in accordance with part 3.05 in this Notice.

3.08 Do You Have a Hypothetical Example of How a Non-Allocated Sale Would Be Conducted?

525 MMcf available for total sale with 10 percent available for Non-Allocated Sale (52,500 Mcf).

Bidder—non-allocated sale	Bid volume*	Appointed volume*	Excess volume requested*	Proration percent	Excess apportioned*	Total apportioned*	Amount requested not received*
Refiner C	17,500	13,125	4,375	50%	3,750	16,875	625
Company D	25,000	13,125	11,875	50%	3,750	16,875	8,125
Company E	12,500	12,500	0	0%	0	12,500	0
Company F	6,250	6,250	0	0%	0	6,250	0
Total	61,250	45,000	16,250	100%	7,500	52,500	8,750

*All volumes in MMcf.

In this example, three companies submit a request and there is a carryover amount from one of the Crude Helium Refiners in the Allocated Sale that is considered as a separate request. Each bidder would be apportioned 13,125 Mcf, (i.e., 52,500 Mcf of Non-Allocated Conservation Helium 4 +bidders = 13,250 Mcf per bidder).

After the initial allocation, Companies E and F have received all the helium they requested. However, 7,500 Mcf is deemed excess in the first iteration of the Non-Allocated Sale and reallocated to the two remaining bidders. With the reallocation, Refiner C and Company D each receives an additional 3,750 Mcf. No more helium is available, Refiner C and Company D do not receive all that they requested, and the sale is complete. All percentages used in the calculation will be rounded to the nearest 1/10M of 1 percent. All volumes calculated will be rounded to the nearest 1 Mcf.

Linda S.C. Rundell,
State Director, New Mexico.
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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[IDI-27239 and IDI-32131]

Notice of Realty Action; Non-Competitive Sale of Public Land, Custer County, ID

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of realty action.

SUMMARY: The Bureau of Land Management (BLM) has examined and determined that two parcels of public land, 5.0 acres and 3.09 acres located in Custer County, Idaho to be suitable for

disposal by direct (non-competitive) sale to Wayne and Melodie Baker pursuant to Sections 203 and 209 of the Federal Land Policy and Management Act of 1976, as amended, at no less than the appraised fair market value.

DATES: Interested parties may submit comments to the BLM Challis Field Office Manager, at the below address. Comments must be received by not later than November 21, 2005. Only written comments will be accepted.

ADDRESSES: Address all written comments concerning this Notice to David Rosenkrance, BLM Challis Field Manager, 801 Blue Mountain Road, Challis, Idaho 83226-9304.

FOR FURTHER INFORMATION CONTACT: Gloria Jakovac, Realty Specialist, at the above address or (208) 756-5421.

SUPPLEMENTARY INFORMATION: The following described public land in Custer County, Idaho has been determined to be suitable for sale at not less than fair market value under sections 203 and 209 of the Federal Land Policy and Management Act of 1976, as amended (90 Stat. 2750, 43 U.S.C. 1713 and 1719). It has been determined that this land is difficult to economically manage as part of the public lands. It has been determined that resource values will not be affected by the disposal of these two parcels of public land. Both parcels are identified for disposal in the Challis Resource Management Plan (1999). In accordance with 43 CFR 2711.3-3(a)(5), these two parcels are being offered by direct (non-competitive) sale to Wayne and Melodie Baker of Clayton, Idaho, based on the need to resolve inadvertent unauthorized historic use and occupancy and the value of added improvements. One of the parcels of public land has been fenced in with the private land for many years and used for livestock grazing and hay production.

The second parcel of public land has been used for many years as a homesite for hired help, storage area for equipment, and contains a root cellar and storage shed. Failure or refusal by Wayne and Melodie Baker to submit the required fair market appraisal amount within 180 days of the sale of the land will constitute a waiver of this preference consideration and this land may be offered for sale on a competitive or modified competitive basis.

The parcels are described as follows:

Boise Meridian, Idaho
 T. 10 N., R. 18 E.,
 Section 32, SW 1/4 SW 1/4 NW 1/4 SE 1/4,
 SE 1/4 SE 1/4 NE 1/4 SW 1/4.

The area described (IDI-27239) contains 5.0 acres, more or less. The fair market value for this land utilizing direct sales procedures, at not less than the current appraised fair market value, is determined to be \$9,600.00.

The patent, when issued, will contain a reservation to the United States for ditches and canals under the Act of March 30, 1890. The patent, when issued, will be made subject to the following existing rights of record:

1. IDI-08406—Those rights for a public trail granted to the United States Forest Service, its successors or assigns, pursuant to the Act of October 21, 1976 (43 U.S.C. 1761).
2. IDI-33923—Those rights for a telephone right-of-way granted to Custer Telephone Cooperative Incorporated, its successors or assigns, pursuant to the Act of October 21, 1976 (43 U.S.C 1761).
3. IDI-20147—Those rights held by Custer County, its successors or assigns, for an existing road exercised under RS2477 and noted under BLM Serial Number IDI-20147.

Boise Meridian, Idaho
 T. 11 N., R. 18 E.,
 Section 35, lot 5 (NE 1/4 SE 1/4 SW 1/4).

The area described (IDI-32131) contains 3.09 acres, more or less. The fair market value for this land utilizing direct sales procedures, at not less than the current appraised fair market value is determined to be \$5,000.00.

The patent, when issued, will contain a reservation to the United States for ditches and canals under the Act of March 30, 1890. The patent, when issued, will be made subject to the following existing rights of record:

1. IDI-20147—Those rights held by Custer County, its successors or assigns, for an existing road exercised under RS2477 and noted under BLM Serial Number IDI-20147.

2. IDI-16925—Those rights for a telephone line granted to Custer Telephone Cooperative, Inc., its successors or assigns, pursuant to the Act of October 21, 1976 (43 U.S.C. 1761).

Continued use of the land by valid right-of-way holders is proper subject to the terms and conditions of the grant. Administrative responsibility previously held by the United States will be assumed by the patentee.

It has been determined that the subject parcels contain no known mineral values; therefore, mineral interests will be conveyed simultaneously. A separate non-refundable filing fee of \$100.00 total for both parcels is required from the purchasers for conveyance of the mineral interests.

Upon publication of this notice in the **Federal Register**, the land described above will be segregated from appropriation under the public land laws, including the general mining laws. The segregation will end upon issuance of patent or 270 days from the date of publication, whichever occurs first.

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

Comments must be received by the BLM Challis Field Manager, Idaho Falls District Office, at the address stated above, on or before the date stated above. Any adverse comments will be reviewed by the Idaho Falls District Manager, who may sustain, vacate or modify this realty action. In the absence of any objects, or adverse comments, this proposed realty action will become the final determination of the Department of the Interior.

Authority: 43 CFR 2711.1-2(c)

Joe J. Kraayenbrink,

District Manager, Idaho Falls District.

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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[NM-030-1430-EU; NMMN 104125]

Recreation and Public Purposes Act Classification; Dona Ana County, NM

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of realty action.

SUMMARY: The Bureau of Land Management (BLM) has examined and found suitable for classification for lease or conveyance under the provisions of the Recreation and Public Purposes (R&PP) Act approximately 40.1 acres of public land in Dona Ana County, New Mexico. Dona Ana County proposes to use the land for a sports park and related facilities.

DATES: Comments must be received by not later than November 21, 2005.

ADDRESSES: Comments should be sent to the BLM, Las Cruces District Office, 1800 Marquess, Las Cruces, New Mexico 88005.

FOR FURTHER INFORMATION CONTACT: Lorraine Salas, Realty Specialist at the above address or by telephone at (505) 525-4388.

SUPPLEMENTARY INFORMATION: The following described public land in Dona Ana County, New Mexico has been examined and found suitable for classification for lease or conveyance under the provisions of the R&PP Act; as amended (43 U.S.C. 869 *et seq.*) and is hereby classified accordingly:

New Mexico Principal Meridian

T. 22 S., R. 3 E., NMPM
Sec. 7, NE¼SE¼

Containing 40.132 acres, more or less.

In accordance with the R&PP Act, Dona Ana County has filed an application and plan of development in which it is proposed to use the above described public land as a sports park and related facilities, devoted to community recreational pursuits. The land is not needed for Federal purposes. Lease or conveyance pursuant to the R&PP Act is consistent with the Mimbres Resource Management Plan dated December 1993 and would be in the public interest.

The lease or conveyance, when issued, will be subject to the following terms, conditions, and reservations.

1. Provisions of the R&PP Act and to all applicable regulations, including, but not limited to, the regulations stated at 43 CFR part 2740.

2. All valid existing rights of record, including those documented on the official public land records at the time of lease/patent issuance.

3. All minerals shall be reserved to the United States, together with the right to prospect for, mine, and remove the minerals under applicable laws and regulations established by the Secretary of the Interior.

4. Any other terms or reservations that the authorized officer determines appropriate to ensure public access and proper management of Federal lands and interests therein.

Detailed information concerning the proposed action, including but not limited to documentation relating to compliance with applicable environmental and cultural resource laws, is available for review at the BLM Las Cruces District Office, 1800 Marquess, Las Cruces, New Mexico 88005, telephone: (505) 525-4338. On October 6, 2005, the above described land will be segregated from all forms of appropriation under the public land laws, including the general mining laws, except for lease or conveyance under the R&PP Act and leasing under the mineral leasing laws. Interested persons may submit comments regarding the proposed lease/conveyance or classification of the land to the Manager of the BLM Las Cruces District Office at the address stated above in this notice for that purpose. Comments must be received by not later than November 21, 2005.

Classification Comments

Interested parties may submit comments involving the suitability of the land for a sports park and related facilities devoted to community recreational pursuits. Comments on the classification are restricted to whether the land is physically suited for the proposal, whether the use is consistent with local planning and zoning, or if the use is consistent with State and Federal programs.

Application Comments

Interested parties may submit comments regarding the specific use proposed in the application and plan of development, whether the BLM followed proper administrative procedures in reaching the decision, or any other factor not directly related to the suitability of the land for community recreation facilities.

Any adverse comments will be reviewed by the BLM New Mexico State Director. In the absence of any adverse comments, the classification will become effective on December 5, 2005. (Authority: 43 CFR 2741.5).