

assigned Permit Number PRT-804479. The requested permit, which is for a period not to exceed 2 years, would authorize the incidental take of the threatened Utah prairie dog (*Cynomys parvidens*). The proposed take would occur as a result of development of a 33-acre housing community on privately-owned property within the city limits of Cedar City, Iron County, Utah.

The Applicant has prepared a habitat conservation plan and an environmental assessment for the incidental take permit application. This notice is provided pursuant to section 10(c) of the Act and National Environmental Policy Act regulations (40 CFR 1506.6).

DATES: Written comments of the habitat conservation plan, permit application, and environmental assessment should be received on or before August 18, 1995.

ADDRESSES: Requests for any of the above documents and comments or materials concerning them should be sent to the Assistant Field Supervisor, Utah Field Office, U.S. Fish and Wildlife Service, 145 East 1300 South, Suite 404, Salt Lake City, Utah 84115. The documents and comments and materials received will be available for public inspection, by appointment, during normal business hours at the above address. Please refer to Permit Number PRT-804479 in all correspondence regarding these documents.

FOR FURTHER INFORMATION CONTACT: Robert D. Williams, Assistant Field Supervisor, (see **ADDRESSES** above) (telephone (801) 524-5001 extension 124, facsimile (801) 524-5021).

SUPPLEMENTARY INFORMATION: Section 9 of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*), prohibits the "taking" of any threatened or endangered species, including the Utah prairie dog. However, the Fish and Wildlife Service, under limited circumstances, may issue permits to take threatened and endangered wildlife species if such taking is incidental to, and not the purpose of, otherwise lawful activities. Regulations government permits for threatened and endangered species are at 50 CFR 17.22.

West Hills, L.L.C., a small company, wishes to construct 214 housing units on a 33-acre parcel of property in Cedar City, Iron County, Utah. The project also includes installation of associated infrastructures including natural gas, sewer, water, and phone; and development of streets, parking areas, tennis courts, and a club house.

Approximately 2 acres on the north side of the property is known to be inhabited

by the Utah prairie dog, a threatened species.

The Applicant considered a no action alternative. The prairie dogs are situated on the property in such a way that the proposed development cannot be planned to avoid them. Furthermore, this is a small colony surrounded by industrial and residential development, and a State highway. Implementation of the no action alternative would cause loss of use of the private property, resulting in an economic loss.

Authority: The authority for this action is the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*) and the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 *et seq.*).

Dated: July 11, 1995.

Terry T. Terrell,

Regional Director, Denver, Colorado.

[FR Doc. 95-17711 Filed 7-18-95; 8:45 am]

BILLING CODE 4310-55-M

Bureau of Land Management

[CA-930-1430-01; CARI 05072]

Order Opening Land Reconveyed; California

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

SUMMARY: The City of Barstow has issued a quitclaim deed to the United States which was recorded on July 28, 1994 in the official records of San Bernardino County, California. The title evidence was acceptable and title was accepted on behalf of the United States on June 7, 1995.

EFFECTIVE DATE: August 18, 1995.

FOR FURTHER INFORMATION CONTACT: John Beck, BLM California State Office (CA-931.2), 2800 Cottage Way, Room E-2845, Sacramento California, 95825; 916-979-2858.

SUPPLEMENTARY INFORMATION: On March 30, 1965, Patent No. 04-65-0234 was issued to the City of Barstow under the Act of June 14, 1926 as amended (43 U.S.C. 869 *et seq.*) for the following described land:

San Bernardino Meridian

T. 9 N., R. 2 W.

Sec. 15, W $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$,
W $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$,
NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$,
W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$,
NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$,
N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$,
SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$,
SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$
NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$.

The patent contained a provision that the land would revert to the United

States in the event the patentee or its successor, used the land for purposes other than that specified in the patent. The land was not improved in accordance with the provision of the plan of development on file with this Bureau; therefore, the land reverted back to the United States by operation of law.

At 10 a.m. on August 18, 1995, the land 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 August 18, 1995, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

At 10 a.m. on August 18, 1995, the land 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 land described 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 (1988), 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 laws. The Bureau of Land Management will not intervene in disputes between rival locators over possessory rights since Congress has provided for such determinations in local courts.

Dated: July 10, 1995.

David McInay,

Chief, Branch of Lands.

[FR Doc. 95-17662 Filed 7-18-95; 8:45 am]

BILLING CODE 4310-40-P

[CO-956-95-1420-00]

Colorado: Filing of Plats of Survey

July 6, 1995

The plats of survey of the following described land are officially filed in the Colorado State Office, Bureau of Land Management, Lakewood, Colorado, effective 10:00 a.m. on July 6, 1995.

The plat representing the metes-and-bounds survey of lot 13, in section 3, in Township 4 South, Range 83 West, of the Sixth Principal Meridian, Group 1085, Colorado, was accepted May 8, 1995.