

from any person other than at a properly licensed facility shall be guilty of a violation of this ordinance.

Section 603. *Sales to Persons Under the Influence of Liquor.* Any person who sells liquor to a person apparently under the influence of liquor shall be guilty of a violation of this ordinance.

Section 604. *Consuming Liquor in Public Conveyance.* Any person engaged wholly or in part in the business of carrying passengers for hire, and every agent servant or employee or such person who shall knowingly permit any person to drink any liquor in any public conveyance shall be guilty of an offense. Any person who shall drink any liquor in a public conveyance shall be guilty of a violation of this ordinance.

Section 605. *Consumption or Possession of Liquor by Person Under 21 Years of Age.* No person under the age of 21 years shall consume, acquire or have in his possession any alcoholic beverage. No person shall permit any other person under the age of 21 to consume liquor on his premises or any premises under his control except in those situations set out in this section. Any person violating this section shall be guilty of separate violations of this ordinance for each and every drink so consumed.

Section 606. *Sales of Liquor to Persons Under 21 Years of Age.* Any person who shall sell or provide liquor to any person under the age of 21 years shall be guilty of a violation of this ordinance for each sale or drink provided.

Section 607. *Transfer of Identification to Minor.* Any person who transfers in any manner an identification of age to a minor for the purpose of permitting such minor to obtain liquor shall be guilty of an offense; provided, that corroborative testimony of a witness other than the minor shall be a requirement of finding a violation of this ordinance.

Section 608. *Use of False or Altered Identification.* Any person who attempts to purchase an alcoholic beverage through the use of false or altered identification, which falsely purports to show the individual to be over the age 21 years, shall be guilty of violating the ordinance.

Section 609. *Violations of This Ordinance.* Any person guilty of a violation of this ordinance shall be liable to pay the Tribe a penalty not to exceed \$500 per violation as civil crimes to defray the Tribe's cost of enforcement of this ordinance. In addition to any penalties so imposed, any license issued hereunder may be suspended or canceled by the General Council after 10 days notice to the licensee. The decision of the General Council shall be final.

Section 610. *Acceptable Identification.* Where there may be a question of a person's right to purchase liquor by reason of his age, such person shall be required to present any one of the following issued cards of identification which shows his correct age and bears his signature and photograph:

- (1) Driver's license of any state or identification card issued by any State Department of Motor Vehicles;
- (2) United States Active Military Duty; or
- (3) Passport.

Section 611. *Possession of Liquor Contrary to This Ordinance.* Alcoholic beverages

which are possessed contrary to the terms of this ordinance are declared to be contraband. Any tribal agent, employee, or officer who is authorized by the General Council to enforce this section shall have the authority to, and shall seize, all contraband.

Section 612. *Disposition of Seized Contraband.* Any officer seizing contraband shall preserve the contraband in accordance with the appropriate California law code. Upon being found in violation of the ordinance by the Tribal Council, the party shall forfeit all right, title and interest in the items seized which shall become the property of the Tribe.

#### Chapter VII—Taxes

Section 701. *Sales Tax.* There is hereby levied and shall be collected a tax on each sale of alcoholic beverages on the Rancheria in the amount of 1 percent of the amount actually collected, including payments by major credit cards. The tax imposed by this section shall apply to all retail sales of liquor on the Rancheria and shall preempt any tax imposed on such liquor sales by the State of California.

Section 702. *Payment of Taxes to Tribe.* All taxes from the sale of alcoholic beverages on the Rancheria shall be paid over to the trust agent of the Tribe.

Section 703. *Taxes Due.* All taxes for the sale of alcoholic beverages on the Rancheria are due within 30 days at the end of the calendar quarter.

Section 704. *Reports.* Along with payment of the taxes imposed herein, the taxpayer shall submit an accounting for the quarter of all income from the sale or distribution of said beverages as well as for the taxes collected.

Section 705. *Audit.* As a condition of obtaining a license, the licensee must agree to the review or audit of its books and records relating to the sale of alcoholic beverages on the Rancheria. Said review or audit may be done annually by the Tribe through its agents or employees whenever, in the opinion of the General Council, such a review or audit is necessary to verify the accuracy of reports.

#### Chapter VIII—Profits

Section 801. *Disposition of Proceeds.* The gross proceeds collected by the General Council from all licensing provided from the taxation of the sale of alcoholic beverages on the Rancheria shall be distributed as follows:

- (a) For the payment of all necessary personnel, administrative costs, and legal fees for the operation and its activities.
- (b) The remainder shall be turned over to the Trust Account of the Tribe.

#### Chapter IX—Severability and Miscellaneous

Section 901. *Severability.* If any provision or application of this ordinance is determined by review to be invalid, such adjudication shall not be held to render ineffectual the remaining portions of this title or to render such provisions inapplicable to other person or circumstances.

Section 902. *Prior Enactments.* All prior enactments of the General Council, which are inconsistent with the provisions of this ordinance, are hereby rescinded.

Section 903. *Conformance with California Laws.* All acts and transactions under this ordinance shall be in conformity with the laws of the State of California as that term is used in 18 U.S.C. 1161.

Section 904. *Effective Date.* This ordinance shall be effective on such date as the Secretary of the Interior certifies this ordinance and publishes the same in the **Federal Register**.

#### Chapter X—Amendment

Section 1001. This ordinance may only be amended by a majority vote of the General Council.

#### Chapter XI—Sovereign Immunity

Section 1101. Nothing contained in this ordinance is intended to, nor does it in any way limit, alter, restrict, or waive the Tribe's sovereign immunity from unconsented suit or action.

#### Certification

We the undersigned, as duly elected officers of the Middletown Rancheria Band of California Pomo Indians, do hereby certify that Liquor Ordinance #03-03-01 was duly enacted by the General Council of the Middletown Rancheria, at a duly called, noticed and convened General Council Meeting on Saturday, March 1, 2003, where the General Council Membership was present by a vote of 12 For, and 1 Against, with 0 Abstaining and that this Ordinance shall become effective on the date of approval by the Secretary of the Interior or his authorized representative.

March 1, 2003.

Jose Simon, II,  
Tribal Chairman.

March 1, 2003.

Attested by:  
Pamela Reyes-Gutierrez,  
Tribal Secretary.

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[AK940-1310EI-241A]

### National Petroleum Reserve—Alaska Oil and Gas Lease Sale 2004

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice of National Petroleum Reserve—Alaska Oil and Gas Lease Sale 2004.

**SUMMARY:** National Petroleum Reserve—Alaska (NPR-A); Notice of Sale and Notice of Availability of the Detailed Statement of Sale for Oil and Gas Lease Sale 2004 in the NPR-A.

The Bureau of Land Management, Alaska State Office will be holding an oil and gas lease sale bid opening for the Northwest Study Area and a small,

previously unoffered portion of the Northeast Study Area of the NPR-A.

**DATES:** The oil and gas lease sale bid opening will be held at 8 a.m. on Wednesday, June 2, 2004, at the Wilda Marston Theatre in the Z. J. Loussac Public Library, 3600 Denali Street, Anchorage, Alaska.

**FOR FURTHER INFORMATION CONTACT:** Colleen McCarthy at (907) 271-3128.

**SUPPLEMENTARY INFORMATION:** All bids must be submitted by sealed bid in accordance with the provisions identified in the Detailed Statement of Sale and received at the Bureau of Land Management, Alaska State Office, 222 W. 7th, #13, Anchorage, Alaska 99513-7599 no later than 3:45 p.m., Friday, May 28, 2004.

The Detailed Statement of Sale for Sale 2004 may be obtained by written request to the Public Information Center, Bureau of Land Management, Alaska State Office, 222 W. 7th, #13, Anchorage, Alaska 99513-7599 or by telephone at (907) 271-5960. It will include, among other things, a description of the areas to be offered for lease, the lease terms, conditions and special stipulations and required operating procedures, and how and where to submit bids. It will be available to the public immediately after publication of this notice.

**Peter Ditton,**

*Acting State Director, Alaska State Office,  
Bureau of Land Management.*

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## DEPARTMENT OF THE INTERIOR

### Minerals Management Service

RIN 1010-AB57

#### Major Portion Prices and Due Date for Additional Royalty Payments on Indian Gas Production in Designated Areas Not Associated with an Index Zone

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

**ACTION:** Notice of major portion prices for calendar year 2002.

**SUMMARY:** Final regulations for valuing gas produced from Indian leases, published on August 10, 1999, require MMS to determine major portion values and notify industry by publishing the values in the **Federal Register**. The regulations also require MMS to publish a due date for industry to pay additional royalty based on the major portion value. This notice provides the major portion values for the 12 months of 2002. The due date to pay is June 15, 2004.

**ADDRESSES:** See **FOR FURTHER INFORMATION CONTACT** section below.

**FOR FURTHER INFORMATION CONTACT:** John Barder, Indian Oil and Gas Compliance and Asset Management, MMS; telephone (303) 231-3702; FAX (303) 231-3755; or David Guzy, Indian Oil and Gas Compliance and Asset Management, MMS; telephone (303) 231-3432; FAX (303) 231-3755; mailing address, Minerals Management Service, Minerals Revenue Management,

ONCAM, Indian Oil and Gas Compliance and Asset Management, P.O. Box 25165, MS 396B2, Denver, Colorado 80225-0165.

**SUPPLEMENTARY INFORMATION:** On August 10, 1999, MMS published a final rule titled "Amendments to Gas Valuation Regulations for Indian Leases," (64 FR 43506) with an effective date of January 1, 2000. The gas regulations apply to all gas production from Indian (tribal or allotted) oil and gas leases, except leases on the Osage Indian Reservation.

The rule requires that MMS publish major portion prices for each designated area not associated with an index zone for each production month beginning January 2000, along with a due date for additional royalty payments. See 30 CFR 206.174(a)(4)(ii) (2003). If additional royalties are due based on a published major portion price, the lessee must submit an amended Form MMS-2014, Report of Sales and Royalty Remittance, to MMS by the due date. If additional royalties are not paid by the due date, late payment interest under 30 CFR 218.54 (2003) will accrue from the due date until payment is made and an amended Form MMS-2014 is received. The table below lists the major portion prices for all designated areas not associated with an index zone. The due date is June 15, 2004.

#### GAS MAJOR PORTION PRICES FOR DESIGNATED AREAS NOT ASSOCIATED WITH AN INDEX ZONE

MMS-Designated Areas	January 2002 (MMBtu)	February 2002 (MMBtu)	March 2002 (MMBtu)
Blackfoot Reservation .....	3.59	2.81	3.14
Fort Belknap .....	4.38	4.30	4.33
Fort Berthold .....	1.32	1.18	2.01
Fort Peck Reservation .....	2.14	1.62	2.01
Navajo Allotted Leases in the Navajo Reservation .....	2.39	1.69	2.05
Rocky Boys Reservation .....	1.84	1.28	1.64
Turtle Mountain Reservation .....	1.47	1.47	1.47
Ute Allotted Leases in the Uintah and Ouray Reservation .....	2.08	1.49	1.73
Ute Tribal Leases in the Uintah and Ouray Reservation .....	2.04	1.63	1.87

MMS-Designated Areas	April 2002 (MMBtu)	May 2002 (MMBtu)	June 2002 (MMBtu)
Blackfoot Reservation .....	3.62	3.84	3.56
Fort Belknap .....	4.50	4.53	4.44
Fort Berthold .....	2.61	2.69	2.36
Fort Peck Reservation .....	2.90	2.62	2.33
Navajo Allotted Leases in the Navajo Reservation .....	2.90	2.43	2.02
Rocky Boys Reservation .....	2.44	2.31	2.37
Turtle Mountain Reservation .....	1.37	1.37	2.03
Ute Allotted Leases in the Uintah and Ouray Reservation .....	2.62	2.03	1.83
Ute Tribal Leases in the Uintah and Ouray Reservation .....	2.67	2.09	1.83