

Janet Napolitano  
Governor

Mark Winkleman  
State Land  
Commissioner

May 13, 2008

Cliff J. Vanell, Director  
Office of Administrative Hearings  
1400 West Washington, Suite 101  
Phoenix, AZ 85007

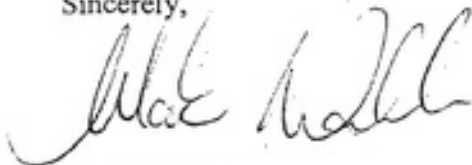
Re: Appeal of Commissioner Order No. 093-2007/2008  
State Land Department Administrative Docket No. 011-2005/2006  
Office of Administrative Hearings Docket No. 08F-011-LAN

Dear Mr. Vanell:

I have received the recommended Decision of the Administrative Law Judge. After review I hereby accept the recommended Findings of Fact, Conclusions of Law and Order pursuant A.R.S. §41-1092.08.

Parties to this case may request a rehearing or review under A.R.S. §41-1092.09 by filing a written request within 30 days of service of this letter.

Sincerely,



Mark Winkleman  
State Land Commissioner

c: Administrative Law Judge Thomas Shedden  
Attorney General's Office, Natural Resources Section/attn: Theresa Craig  
Natural Resources Division/Range Section/attn: Stephen Williams  
Admin. Docket File No. 011-2005/2006

Certified No. 91 7108 2133 3932 3747 3376

Galyn & Roxanne Knight  
P.O. Box 240  
Springerville, AZ 85938

Certified No. 91 7108 2133 3932 3747 3369

John Horning  
Forest Guardians  
312 Montezuma, Suite A  
Santa Fe, NM 87501

STATE LAND DEPARTMENT OF THE STATE OF ARIZONA  
BEFORE THE STATE LAND COMMISSIONER

IN THE MATTER OF CONFLICTING  
APPLICATIONS FOR A LEASE ON THE STATE  
TRUST LAND DESCRIBED AS:

TOWNSHIP 9 NORTH, RANGE 29 EAST  
SECTION 1, LOTS 3 & 4, S2NWS2; SECTION 2,  
LOTS 1-4, S2N2, S2; SECTION 4, LOTS 1 & 2,  
S2NE, SE; SECTION 4, LOTS 3 & 4, S2NW, SW;  
SECTION 5, LOTS 1-3, SENW, S2NE, N2SE,  
NESW SESE; SECTION 11, ALL, AND;

TOWNSHIP 10 NORTH, RANGE 29 EAST  
SECTION 27, S2S2; SECTION 28, S2S2;  
SECTION 29, S2S2; SECTION 30, SESE, SWSE;  
SECTION 32, ALL; SECTION 33, ALL;  
SECTION 34, ALL; SECTION 35, ALL;  
SECTION 36, S2, FOR A TOTAL OF 6,237.48  
ACRES, APACHE COUNTY, ARIZONA.

LESSEE: GALYN & ROXANNE KNIGHT  
(05-1662)

APPLICANT: FOREST GUARDIANS  
(05-110807)

ORDER NO. 011-2008/2009

ORDER DENYING  
WILDEARTH (FOREST)  
GUARDIANS'  
REQUEST FOR  
REHEARING

ADMIN. DOCKET  
NO. 011-2005/2006

The records of the Arizona State Land Department (the "Department") reflect:

On June 11, 2008, Timothy Hogan filed a request for rehearing or review, on behalf of Wildearth (Forest) Guardians (the "Applicant"), regarding the Commissioner's Decision dated May 13, 2008, to accept the recommended Decision of the Administrative Law Judge, thereby reversing Commissioner Order No. 093-2007/2008. After full consideration of the record in this matter and the arguments of the parties, the Commissioner concludes that the Applicant has set forth no grounds upon which a rehearing should be granted.

ORDER

Applicant's Motion for Rehearing is DENIED. The Commissioner's Decision dated May 13, 2008, remains in effect.

NOTICE

Applicant is notified that this Order is the final administrative decision of the Arizona State Land Department and that Applicant has exhausted their administrative remedies. Applicant is advised that an appeal to superior court may be taken from this Decision pursuant to Title 12, Chapter 7, Article 6, within thirty-five (35) days from the date this Decision is served.

GIVEN under my hand and the official seal of the Arizona State Land Department this 11<sup>th</sup> day of July, 2008.



MARK WINKLEMAN  
State Land Commissioner

by: 

Copy of the foregoing mailed/  
delivered this 11<sup>th</sup> day of  
July, 2008, to:

Certified No. 91 7108 2133 3932 3747 3444

GALYN & ROXANNE KNIGHT  
P O BOX 240  
SPRINGVILLE AZ 85938

Certified No. 91 7108 2133 3932 3747 3451

JOHN HORNING  
FOREST GUARDIANS  
312 MONTEZUMA SUITE A  
SANTA FE NM 87501

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FARM SERVICE AGENCY  
140 WEST CLEVELAND  
P O BOX 70  
ST JOHNS AZ 85936 0070

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WELLS FARGO BK OF AZ NA  
100 W WASHINGTON  
P O BOX 53456 DEPT 807  
PHOENIX AZ 85072-3456

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TRANSNATION TITLE INS CO  
ATTN DIANE FLAAEN  
1850 N CENTRAL AVE STE 1200  
PHOENIX AZ 85004

Certified No. 91 7108 2133 3932 3747 3482

THE STOCKMEN'S BANK  
219 NORTH 4<sup>TH</sup> STREET  
P O BOX 1202  
BUCKEYE AZ 85326

Copy to: Attorney General's Office, Natural Resources Section  
Attorney General's Office, Solicitor General & Opinions Sect./C. Munns  
Natural Resources Division/Range Section/attn: Stephen Williams  
Natural Resources Division/Range Section/attn: Ramon Fierro  
Administrative Procedures Manager  
Admin. Docket File No. 011-2005/2006  
File No. 05-1662  
File No. 05-110807

A handwritten signature in cursive script, appearing to read "Ramon Fierro", is written over a horizontal line. The signature is located in the lower-left quadrant of the page, between lines 13 and 16.

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