

**ARIZONA STATE LAND DEPARTMENT  
BOARD OF APPEALS AGENDA  
FINAL AGENDA**

**Thursday, September 14, 2023**

**Location: Arizona State Land Department  
1110 W. Washington, 5<sup>th</sup> Floor  
Room 321  
Phoenix, AZ 85007**

Pursuant to Arizona Revised Statutes (A.R.S.) § 38-431.02, notice is hereby given to the members of the Arizona State Land Department Board of Appeals and to the public that the Board will hold a meeting open to the public on Thursday, September 14, 2023, at 9:00 a.m. at the Arizona State Land Department, 1110 West Washington Street, 5<sup>th</sup> Floor, Room 321, Phoenix, AZ 85007.

The meeting will also be held in virtual and telephonic formats. Members of the public may participate virtually and telephonically. Board Members and members of the public can access the meeting telephonically by dialing 1-443-671-4708 followed by the meeting pin- 938 734 741# or virtually, by video conferencing by typing in the following link: [meet.google.com/jrg-evxe-yrw](https://meet.google.com/jrg-evxe-yrw). After the start of the meeting, the Board Chairperson and/or staff will request that members of the public place their phones/devices on mute.

The agenda for this meeting follows. Any amendments or additions to the agenda will be made available at least twenty-four (24) hours prior to the meeting. The Board may discuss, deliberate, or vote on any item listed on the agenda. Pursuant to A.R.S. § 38-431.03(A)(3), the Board may vote to hold an executive session for consultation with its attorney for legal advice concerning any item on the agenda. Executive sessions are not open to the public. Except for matters listed for a specific time, the Board may take any item on the agenda out of order. Members of the Board may appear by telephone.

Pursuant to Title II of the Americans with Disabilities Act (ADA), the Board will not discriminate on the basis of disability in admission to and observation of its public meetings. Persons with a disability may request reasonable accommodation such as a sign language interpreter, by contacting the ADA Coordinator at (602) 542-2629 to make their needs known. Requests should be made as early as possible to allow time to arrange the accommodation.

**I. CALL TO ORDER**

Roll call

**II. MINUTES**

Approval of August 10, 2023 Minutes

**III. REPORT BY LAND DEPARTMENT STAFF**

A. Report by Land Department staff and discussion by the Board regarding recent and future land auctions (See attached list) \*

B. Future Board Agenda Items

**IV. REAL ESTATE AND RIGHTS OF WAY**

Review, discussion, & possible legal action regarding the following:

- A. Rights of Ways on Consent Agenda (See attached) \*
- B. Commercial Leases-Long Term-for periods longer than 10 years (See attached) \*
- C. Land Sales (See attached) \*

\* Please note: The attachment with a detailed listing of agenda items I, II, and III will be available in the Board Clerk’s office after Monday, September 4, 2023 or at least twenty-four (24) hours prior to the scheduled meeting.

**V. BOARD APPEALS**

- A. A.B. 1247-Dustin C. and Lisa D. Feyder  
Grazing Lease No. 05-044784-00  
Appeal of Reclassification for Long Term Commercial Lease Application 03-120611-99  
*Appeal has been withdrawn*
- B. A.B. 1245-David Brumit – Appeal heard on August 10, 2023  
Right of Way Application 14-122501-00  
Valuation of Appraisal

Board to review, discuss, possibly modify, and adopt proposed Decision and Order, including:

- 1 . FINDINGS OF FACT
- 2 . CONCLUSIONS OF LAW

Note: Appellant and Appellee will each be given an opportunity to comment on the proposed language of the above. However, no new evidence will be considered at this time.

**VI. OTHER BUSINESS**

- A. Arrangements for Future Meetings:

<u>Date</u>	<u>Location</u>
October 12, 2023	Phoenix
November 9, 2023	Phoenix
December 14, 2023	Pending

B. Schedule of Pending Appeals:

A.B. 1244-VJP Investments II LLC

Sales Application 53-121841 Havasu Investments Partners LLC

Valuation of Appraisal and Valuation of Improvements

*Hearing has been continued to be heard on Thursday, October 12, 2023*

A.B. 1246–Maricopa Flood Control District of Pinal County

Right of Way Application 18-108053

Valuation of Appraisal

*Hearing has been continued to be heard on Thursday, November 9, 2023*

**VII. EXECUTIVE SESSION**

The Board may vote to go into Executive Session on any of the above agenda items for legal advice from its attorney, pursuant to A.R.S. § 38-431.03(A)(3)

**VII. BOARD ADJOURNS**

STATE LAND DEPARTMENT  
BOARD OF APPEALS



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for Trinity Perlberg, Clerk to the Board  
1110 West Washington Street, Suite #160  
Phoenix, AZ 85007  
Telephone: 602-542-2505

**BOARD OF APPEALS  
IV. AGENDA  
Thursday, September 14<sup>th</sup>, 2023**

**A. CONSENT AGENDA**

**RIGHTS OF WAY - REAL ESTATE DIVISION**

	<u>Application #</u>	<u>Applicant and County</u>	<u>Purpose</u>
1.	14-005271 Myles Stevens	Tucson Electric Power Company (Cochise County, Graham County, Greenlee County)	Overhead 345kV electric transmission lines
2.	14-114394 Amber Troidl	Mohave Electric Cooperative, Inc. (Mohave County)	O/H double circuit 69kV electric subtransmission line with 24.9kV electric underbuild and OPGW internal use only
3.	16-123379 Myles Stevens	Arizona Department of Transportation (Maricopa County)	Access road

**B. COMMERCIAL LEASES – REAL ESTATE DIVISION – Long Term (for periods longer than 10 years)**

*Urban Planning Projects*

	<u>Application #</u>	<u>Applicant and County</u>	<u>Purpose</u>
4.	003-123811 Bryan Sparks	Agua Fria High School District #216 (Maricopa County)	Public Education Lease

*Other*

	<u>Application #</u>	<u>Applicant and County</u>	<u>Purpose</u>
	NONE		

**C. LAND SALES – REAL ESTATE DIVISION**

*Urban Planning Projects*

	<u>Application #</u>	<u>Applicant and County</u>	<u>Purpose</u>
5.	53-121916 & ROW 16-123038 Joe Charles	PCI (Pinal County)	Sale – Ironwood Rd & Germann Rd & ROW - SR 24 & AZ PKWY
6.	53-123261 Joe Charles	Legacy Commercial Real Estate LLC (Mohave County)	Sale – Hwy 95 & 7 <sup>th</sup> St, Bullhead City
7.	53-123269 Bryan Sparks	Kay Mine USA Corp. (Yavapai County)	Sale – ½ mile N of Black Canyon City, 1 mile W of I17

BOARD

Thursday, September 14<sup>th</sup>, 2023

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*Other*

	<u>Application #</u>	<u>Applicant and County</u>	<u>Purpose</u>
	NONE		



PUBLIC AUCTIONS BEING ADVERTISED

03-COMMERCIAL-LONG TERM LEASE  
 14-RIGHT-OF-WAY (LONG TERM)  
 16-RIGHT-OF-WAY (PERPETUAL)

**AUCTION CALENDAR  
 SEPTEMBER 2023**

04-MINERAL  
 21-WATER  
 53-LAND

<b>APP. NO.</b>	<b>AUCTION DATE &amp; TIME</b>	<b>LOCATION, COUNTY &amp; ACREAGE +/-</b>	<b>APPRAISED VALUE</b>	<b>BENEFICIARY</b>
<b>53-122795</b> QUIKTRIP CORPORATION	09/26 & 11:00 AM	T4N, R2E, SEC. 23  MARICOPA  10.02	\$5,465,000.00	PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS)
<b>16-122814</b> WEST WING BUSINESS PARK	09/27 & 1:00PM	T4N, R1W, SEC 11 3.319	343,512.00	PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS)
<b>16-120105</b> WEST WING BUSINESS PARK	09/27 & 1:00PM	T4N, R1W, SEC 11 5.005	518,010.00	PERMANENT COMMON SCHOOLS (INDEMNITY SELECTIONS)
<b>53-123239</b> APEX INVESTMENTS, LLC	09/28 & 11:00 AM	T13N, R20W, SEC. 16 MOHAVE 86.99	\$7,400,000.00	FED PAT 02-87-0004 A
<b>16-123019</b> HAVASU INVESTMENT PARTNERS, LLC		T13N, R20W, SECS. 16,20,21 MOHAVE 78.16		

PUBLIC AUCTIONS BEING ADVERTISED

03-COMMERCIAL-LONG TERM LEASE  
14-RIGHT-OF-WAY (LONG TERM)  
16-RIGHT-OF-WAY (PERPETUAL)

**AUCTION CALENDAR  
OCTOBER 2023**

04-MINERAL  
21-WATER  
53-LAND

<b>APP. NO.</b>	<b>AUCTION DATE &amp; TIME</b>	<b>LOCATION, COUNTY &amp; ACREAGE +/-</b>	<b>APPRAISED VALUE</b>	<b>BENEFICIARY</b>
<b>03-121564</b> BOCA BN, LLC	10/3 & 11:00 AM	T3S, R9E, SECS. 13,24 T3S, R10E, SECS. 7,8,18,19 T3S, R9E, SEC. 24 T3S, R10E, SECS. 18,19 T3S, R9E, SECS. 24,25 T3S, R10, SECS. 19,30  PINAL  2,087.151	\$24,400,000.00	COUNTY BOND, UNIVERSITY, PENITENTIARY LAND FUND, ARIZONA STATE HOSPITAL