

# **EXHIBIT 11**

August 25, 2005

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AUG. 25 2005

MAILROOM

Elaine,

This business of the unfortunate "free roaming" horses has been bugging me. I have reviewed all the information I have and want to lay a few things on the table.

Your letter to me of July 6th with a "Definition" is, on the surface, contradictory. In order to clarify the matter in my mind, I dug into my files and came up with a copy of the Act, Public Law 92-195 (with amendments).

It seems to me that the folks who wrote FSM 2200 were off the mark.

To get out of Tonto Basin heat, I traveled up to the Heber Territory to, 1. cool off, 2. Look at some of these horses, and 3. visit with some other old folks to see what I could dig up. A lot of old timers not only have clear recollection of horses in the area in question going back many years to the 30's and 40's and up to the present time. A few even had written family histories where the horses are mentioned.

Just for your information:

Sec. 2 (definitions as used in the Act 92-195)

b. "wild and free roaming horses and burros" means all unbranded and unclaimed horses and burros on public lands of the United States. (NO restrictive dates mentioned in this act.)

This is for your information.



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