



STATE OF ARIZONA
NAVIGABLE STREAM ADJUDICATION COMMISSION

1700 West Washington, Room B-54, Phoenix, Arizona 85007

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GEORGE MEHNERT
Executive Director

AGENDA AND NOTICE OF HEARING, UPPER SALT RIVER

TO BE HELD April 24, 2014 at 9:00 a.m.

GLOBE, ARIZONA

(First Amended Agenda Replaced Gila River with Upper Salt River)

NOTICE: The Upper Salt River Hearing will not be completed in Globe but will begin in Globe and will be continued to a future date in Phoenix to accommodate expert witnesses, some of who are from other states, so they may testify at only a single location.

Pursuant to A.R.S. §38-431.02, notice is hereby given to the members of the Navigable Stream Adjudication Commission and to the general public that the Navigable Stream Adjudication Commission will hold a hearing open to the public on April 24, 2014 at 9:00 a.m. at the Gila County Board of Supervisors Board Room, 1400 E. Ash Street, Globe, Arizona 85501.

Pursuant to A.R.S. § 38-431.03(A)(3), the Navigable Stream Adjudication Commission may vote to go into Executive Session for purposes of obtaining legal advice from the Commission's attorney on any matter listed on the agenda, or pursuant to A.R.S. § 38-431.03(A) or for discussion of records exempt by law from public inspection on any matter listed on the agenda.

Title 2 of the American with Disabilities Act (ADA) prohibits the Commission from discriminating on the basis of disability in its public meetings. Individuals with disabilities who need a reasonable accommodation to attend or communicate at the Commission's meeting, or who require this information in alternate format, may contact George Mehnert at (602) 542-9214 to make their needs known. Requests should be made as soon as possible so the Commission will have sufficient time to respond. For those individuals who have a hearing impairment, this Commission can be reached through the Arizona Relay Service at 1-800-367-8939 (TTY) or 1-800-842-4681 (Voice). The agenda for the meeting is as follows:

1. CALL TO ORDER.
2. Roll Call.
3. Approval of Minutes for March 28, 2014 (discussion and action).
4. Hearing regarding the Upper Salt River: The Commission will receive physical evidence and testimony on two narrow issues: (1) navigability or non-navigability of the Upper Salt River in its "ordinary and natural condition" at the State of Arizona's admission to the United States on February 14, 1912, consistent with the Arizona Court of Appeals decision in *State v. Arizona Navigable Stream Adjudication Comm'n*, 224 Ariz. 230, 229 P.3d 242 (App. 2010); and (2) segmentation of the Upper Salt River consistent with the United States Supreme Court's decision in *PPL Montana, LLC v. Montana*, 556 U.S. ____, 132 S.Ct. 1215 (2012).
5. Call for Public Comment (comment sheets).

(Pursuant to Attorney General Opinion No. 199-006 [R99-002]. Public Comment: Consideration and discussion of comments and complaints from the public. Those wishing to address the Commission need not request permission in advance. Action taken at this meeting as a result of public comment

will ordinarily be limited to directing staff to study the matter or rescheduling the matter for further consideration and decision at a later date.)

6. Future meeting dates and future agenda items.
7. ADJOURNMENT.

The chair reserves the right to alter the order of the agenda.

A handwritten signature in black ink, appearing to read "George Mehnert". The signature is written in a cursive, flowing style.

Dated this 21st day of March, 2014
George Mehnert, Director
Navigable Stream Adjudication Commission.