



STATE OF ARIZONA
NAVIGABLE STREAM ADJUDICATION COMMISSION

1700 West Washington, Room B54, Phoenix, Arizona 85007

Phone (602) 542-9214 FAX (602) 542-9220

JANICE K. BREWER
Governor

E-mail: nav.streams@ansac.az.gov Web Page: <http://www.ansac.az.gov>

GEORGE MEHNERT
Executive Director

COMBINED MEETING MINUTES
Phoenix, August 18, 19, 20, 2014

DAY ONE

August 18, 2014, Phoenix, Arizona

COMMISSION MEMBERS PRESENT

Bill Allen, Jim Henness, Jim Horton, Wade Noble.

Commissioner Henness left at approximately 2:00 p.m.

COMMISSION MEMBERS ABSENT

None

STAFF PRESENT

Fred Breedlove Attorney, George Mehnert Director

1. CALL TO ORDER

By Chairman Wade Noble at approximately 9:09 a.m.

2. Roll Call

See above for members present and absent.

3. Approval of Minutes for June 16, 2014 (discussion and action).

Motion by: Jim Henness to approve minutes as submitted.

Second by: Jim Horton.

Vote: Unanimous to approve minutes as submitted.

4. Scheduling Conference regarding Upper Salt River and Lower Salt River hearings that may be need to be continued to 2015, following five days of hearings scheduled from December 15, 2014 to December 19, 2014.

Hearing continuation dates selected if necessary and depending on availability of a hearing room: February 18, 19, 20, 2015

5. Continuation of Hearing regarding the Gila River: The Commission will receive physical evidence and testimony on two narrow issues: (1) navigability or non-navigability of the Gila 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 Gila River consistent with the United States Supreme Court's

decision in PPL Montana, LLC v. Montana, 556 U.S. ___, 132 S.Ct. 1215 (2012).

Witnesses who appeared: Doctor Douglas Littlefield.

The hearing regarding the Gila River recessed for the day at approximately 4:12 p.m. with an announcement by the Chair that the hearing would continue the following day, August 19, 2014 at 9:00 a.m.

DAY TWO

August 19, 2014, Phoenix, Arizona

COMMISSION MEMBERS PRESENT

Bill Allen, Jim Horton, Wade Noble

Jim Henness arrived at approximately 9:05 a.m.

Commissioner Henness left at approximately 2:40 p.m.

COMMISSION MEMBERS ABSENT

None

STAFF PRESENT

Fred Breedlove Attorney, George Mehnert Director

1. CALL TO ORDER

Chairman Noble called the meeting to order at approximately 9:02 a.m.

2. Roll Call

See above for members present and absent.

3. Approval of Minutes.

No minutes to approve.

4. No agenda item.

5. Continuation of Gila River Hearing.

Witnesses who appeared: Doctor Douglas Littlefield, and Dr. Robert Mussetter.

The hearing regarding the Gila River recessed for the day at approximately 5:02 p.m. with an announcement by the Chair that the hearing would continue the following day, August 20, 2014 at 9:00 a.m.

DAY THREE

August 20, 2014, Phoenix, Arizona

COMMISSION MEMBERS PRESENT

Bill Allen, Jim Horton, Wade Noble

COMMISSION MEMBERS ABSENT

Jim Henness

STAFF PRESENT

Fred Breedlove Attorney, George Mehnert Director

1. CALL TO ORDER

Chairman Noble called the meeting to order at approximately 9:03 a.m.

2. Roll Call

See above for members present and absent.

3. Approval of Minutes.

No minutes to approve.

4. No agenda item.

5. Continuation of Gila River Hearing.

Witnesses who appeared: Dr. Robert Mussetter.

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

No Public Comment.

7. Future meeting dates and future agenda items.

Continuation of Gila River – Pinal County, August 29, 2014 at 11:00 a.m., 31 North Pinal Street, Building A Florence, Arizona 85132 .

8. ADJOURNMENT.

Meeting Adjourned at approximately 2:40 p.m.

Respectfully submitted,



George Mehnert, Director

August 21, 2014