



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 PUBLIC MEETING
TO BE HELD October 22, 2012 at 10:00 a.m.
PHOENIX, ARIZONA

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 meeting open to the public on October 22, 2012 at 10:00 a.m. in the basement meeting room, Grand Canyon Room, at 1700 West Washington, Phoenix, Arizona 85007

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. Nomination and election of officers.
4. Approval of Executive Session Minutes of April 6, 2012. (discussion and action).
5. Approval of Regular Session Minutes of June 29, 2012 (discussion and action).
6. Approval of Executive Session Minutes of June 29, 2012 (discussion and action).
7. Presentation on Arizona Supreme Court's Adjudications decision rejecting State's argument that State Trust Lands have federally reserved water rights (discussion only).
8. Consideration of issues briefed by parties for each water course listed below: (1) whether to allow parties to present new evidence regarding navigability 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) whether to allow parties to present new evidence regarding segmentation consistent with the U.S. Supreme Court's decision in *PPL Montana v. Montana*, 565 U.S. ____.
 - a) Lower Salt River 03-005-NAV. ANSAC staff presentation of the law and arguments in the case, and summarization of the filed briefs (discussion and action).
 - b) Gila River 03-007-NAV. ANSAC staff presentation of the law and arguments in the case, and summarization of the filed briefs (discussion and action).
 - c) San Pedro River 03-004-NAV. ANSAC staff presentation of the law and arguments in the case, and summarization of the filed briefs (discussion and action).

- d) Santa Cruz River 03-002-NAV. ANSAC staff presentation of the law and arguments in the case, and summarization of the filed briefs (discussion and action).
 - e) Verde River 04-009-NAV. ANSAC staff presentation of the law and arguments in the case, and summarization of the filed briefs (discussion and action).
 - f) Upper Salt River 04-008-NAV. ANSAC staff presentation of the law and arguments in case, and summarization of the filed briefs (discussion and action).
9. 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.)

10. Future meeting dates and future agenda items.

11. ADJOURNMENT.

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



Dated this 16th day of October, 2012

George Mehnert, Director

Navigable Stream Adjudication Commission.