



STATE OF ARIZONA
NAVIGABLE STREAM ADJUDICATION COMMISSION

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Governor

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GEORGE MEHNERT
Executive Director

MEETING MINUTES
Flagstaff, Arizona, July 14, 2005

COMMISSION MEMBERS PRESENT

Jay Brashear, Earl Eisenhower, Jim Henness, and Cecil Miller.

COMMISSION MEMBERS ABSENT

Dolly Echeverria.

STAFF PRESENT

George Mehnert, and Commission Legal Counsel Curtis Jennings.

1. CALL TO ORDER.

Chair Eisenhower called the meeting to order at approximately 10:06 a.m.

2. ROLL CALL.

See above.

3. APPROVAL OF MINUTES (discussion and action).

A. April 25, 2005, Navajo County.

Motion by: Jim Henness Second by: Cecil Miller

Motion: To approve the minutes of April 25, 2005.

Vote: All aye.

B. April 25, 2005, Navajo County Executive Session.

Motion by: Cecil Miller Second by: Jim Henness

Motion: To approve the Executive Session Minutes of April 25, 2005.

Vote: All aye.

C. April 26, 2005, Apache County.

Motion by: Jim Henness Second by: Cecil Miller

Motion: To approve the minutes of April 26, 2005.

Vote: All aye.

4. HEARING REGARDING THE NAVIGABILITY OR NON-NAVIGABILITY OF THE SMALL AND MINOR WATERCOURSES IN COCONINO COUNTY, 05-010-NAV. Persons who spoke and responded to questions regarding this matter were Cheryl Doyle representing the State Land Department and Hydrologist for the State Land Department, Jon Fuller. The Chair announced this hearing was closed for the purpose of taking evidence.

5. HEARING REGARDING THE NAVIGABILITY OR NON-NAVIGABILITY OF THE LITTLE COLORADO RIVER, 05-007-NAV. Persons who spoke and responded to questions regarding this matter were Cheryl Doyle representing the State Land Department and Hydrologist for the State Land

Department, Jon Fuller. The Chair announced this hearing was closed for the purpose of taking evidence.

6. NAVIGABILITY DETERMINATION OF THE SMALL AND MINOR WATERCOURSES IN YAVAPAI COUNTY (DISCUSSION AND ACTION).

Motion by: Jay Brashear Second by: Jim Henness

Motion: That all of the Small and Minor Watercourses in Yavapai County were non-navigable as of statehood.

Vote: All aye.

7. NAVIGABILITY DETERMINATION OF THE SMALL AND MINOR WATERCOURSES IN NAVAJO COUNTY (DISCUSSION AND ACTION).

Motion by: Cecil Miller Second by: Jim Henness

Motion: That all of the Small and Minor Watercourses in Navajo County were non-navigable as of statehood.

Vote: All aye.

8. NAVIGABILITY DETERMINATION OF THE SMALL AND MINOR WATERCOURSES IN APACHE COUNTY (DISCUSSION AND ACTION).

Motion by: Jim Henness Second by: Cecil Miller

Motion: That all of the Small and Minor Watercourses in Apache County were non-navigable as of statehood.

Vote: All aye.

9. NAVIGABILITY DETERMINATION OF THE PUERCO RIVER (DISCUSSION AND ACTION).

Motion by: Jim Henness Second by: Jay Brashear

Motion: That Puerco River was non-navigable as of statehood.

Vote: All aye.

10. CALL FOR PUBLIC COMMENT (comment sheets).

(Pursuant to Attorney General Opinion No. I99-006 [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 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.)

11. FUTURE AGENDA ITEMS AND ESTABLISHMENT OF FUTURE HEARINGS AND OTHER MEETINGS.

The Commissioners, representatives of the State and of the Salt River Project spoke regarding hearing dates. The Chair concluded that likely future hearing dates beyond those scheduled in Mohave and La Paz Counties on August 8, 2005 and August 9, 2005, respectively, will be hearings regarding the navigability of the Agua Fria River, the Hassayampa River and the Maricopa County Small and Minor Watercourses during September 2005. Commissioner Brashear asked about Roosevelt Lake, since it existed at time of statehood. The Chair said Roosevelt Lake will likely be considered during the hearing regarding the Gila County Small and Minor Watercourses. The Chair indicated that hearings will likely be held during October 2005 regarding the navigability of the Upper Salt River and of the Gila County Small and Minor Watercourses. The Chair stated that hearings will likely be held during November 2005, on two consecutive days, regarding the navigability of the Gila River and the Verde River.

12. ADJOURNMENT.

Motion by: Cecil Miller Second by: Jim Hennes
Motion: To adjourn. Vote: All aye.
Meeting adjourned at approximately 11:05 a.m.

Respectfully submitted,



George Mehnert, Director
July 14, 2005