



STATE OF ARIZONA
NAVIGABLE STREAM ADJUDICATION COMMISSION

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Governor

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GEORGE MEHNERT
Executive Director

MEETING MINUTES

Phoenix, Arizona, October 20, 2005

COMMISSION MEMBERS PRESENT

Jay Brashear, Dolly Echeverria, Earl Eisenhower, Jim Hennes.

COMMISSION MEMBERS ABSENT

Cecil Miller was absent, and Commissioner Hennes had to leave early at approximately 11:45 a.m.

STAFF PRESENT

George Mehnert.

1. CALL TO ORDER.

Chair Eisenhower called the meeting to order at approximately 9:36 a.m.

2. ROLL CALL.

See Above.

3. APPROVAL OF MINUTES (discussion and action).

A. September 21, 2005, Maricopa County

Motion by: Jim Hennes Second by: Earl Eisenhower

Motion: To accept minutes as submitted. Vote: All aye.

4. Jurisdiction regarding Roosevelt Lake, including motion entitled "SALT RIVER PROJECT'S MOTION FOR FINDING OF LACK OF STATUTORY SUBJECT MATTER JURISDICTION TO DETERMINE NAVIGABILILTY OF ROOSEVELT LAKE", and all other motions filed relating to this matter in both 04-008-NAV and 04-010-NAV (discussion and action). The Office of the Attorney General, on behalf it their client the State Land Department filed a response to the original motion on October 20, 2005. The Chair accepted the Attorney General response, continued the matter to a later meeting, and granted the Salt River Project's Attorney a week to reply to the Attorney General's response to the original motion.

5. Hearing regarding the navigability of the Upper Salt River, 04-008-NAV.

Persons who presented evidence or spoke regarding this matter: Jon Fuller, Dennis Gilpin, David Weedman, Stanley Schumm and Douglas Littlefield, Ph.D. Also, attorneys Mark McGinnis and Rebecca Goldberg, Laurie A. Hachtel, John Ryley and Joe Sparks spoke or examined witnesses.

6. **Hearing regarding the navigability of the small and minor watercourses in Gila County, 04-010-NAV.** Persons who presented evidence or spoke regarding this matter: Jon Fuller.
7. **Adoption of the Commission report regarding the Pima County Small & Minor Watercourses (discussion and action).** The Chair continued this matter to a future meeting.
8. **Determination of the navigability of the Little Colorado River 05-007-NAV (discussion and action).**
 Motion by: Jay Brashear Second by: Dolly Echeverria
 Motion: The Little Colorado River was not navigable as of statehood. Vote:
 All aye.
9. **Determination of the navigability of the Big Sandy River 05-011-NAV (discussion and action).**
 Motion by: Dolly Echeverria Second by: Jay Brashear
 Motion: The Big Sandy River was not navigable as of statehood.
 Vote: All aye.
10. **Determination of the navigability of the Bill Williams River 05-012-NAV (discussion and action).**
 Motion by: Jay Brashear Second by: Dolly Echeverria
 Motion: The Bill Williams River was not navigable as of statehood.
 Vote: All aye.
11. **Determination of the navigability of Burro Creek 05-003-NAV (discussion and action).**
 Motion by: Dolly Echeverria Second by: Jay Brashear
 Motion: Burro Creek was not navigable as of statehood.
 Vote: All aye.
12. **Determination of the navigability of the Santa Maria River 05-005-NAV (discussion and action).**
 Motion by: Jay Brashear Second by: Dolly Echeverria
 Motion: The Santa Maria River was not navigable as of statehood.
 Vote: All aye.
13. **Determination of the navigability of the Virgin River 05-013-NAV (discussion and action).**
 Motion by: Jay Brashear Second by: Dolly Echeverria
 Motion: The Virgin River was not navigable as of statehood. Vote:
 All aye.
14. **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.)

15. Future agenda items and establishment of future hearings and other meetings.

16. Commission budget and continuation.

The Director and the Chair commented that the Commission is very weak insofar as budget is concerned and that the Commission will appreciate the support of everyone to continue the Commission for two additional so that it can complete its work.

17. ADJOURNMENT.

Motion by: Jay Brashear Second by: Dolly Echeverria

Motion: To adjourn.

Vote: All aye.

Meeting adjourned at approximately 1:55 p.m..

Respectfully submitted,



George Mehnert, Director

October 21, 2005