



STATE OF ARIZONA  
NAVIGABLE STREAM ADJUDICATION COMMISSION

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GEORGE MEHNERT  
Executive Director

**CONSOLIDATED MEETING MINUTES**

**Meeting was continued and included 3 separate dates, November 16, 2005,  
November 17, 2005, and January 18, 2006.  
Phoenix, Arizona**

**November 16, 2005**

**COMMISSION MEMBERS PRESENT**

Jay Brashear, Dolly Echeverria, Earl Eisenhower, Jim Henness & Cecil Miller.

**COMMISSION MEMBERS ABSENT**

None, Jay arrived about 10 minutes after meeting was called to order.

**STAFF PRESENT**

George Mehnert, Dir and Curtis Jennings, Attorney who arrived about 10 minutes after meeting was called to order.

**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. October 20, 2005 Maricopa County

Motion by: Dolly Echeverria Second by: Cecil Miller

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

**4. All motions and responses to "SALT RIVER PROJECT'S MOTION FOR FINDING OF LACK OF STATUTORY SUBJECT MATTER JURISDICTION TO DETERMINE NAVIGABILILTY OF ROOSEVELT LAKE" in both 04-008-NAV and 04-010-NAV (discussion and action). Two people spoke on the subject, Mark McGinnis, John Helm.**

**5. Adoption of the Commission report regarding the Pima County Small & Minor Watercourses (discussion and action).**

Motion by: Cecil Miller Second by: Jim Henness

Motion: To adopt the Commission Report as Written. Vote: All aye.

**6. Hearing regarding the navigability of the Gila River 03-007-NAV.**

Witnesses included: Laurie Hachtel, Jon Fuller, Dennis Gilpin, Gary Huckleberry, Douglas Littlefield, Jack August, David Weedman, Alan Gookin, and John Hestand.

7. **Hearing regarding the navigability of the Verde River 04-009-NAV.**  
David Weedman testified because he cannot appear at a later date, and the balance of this hearing was completed on January 18, 2006.
8. **Hearing regarding the navigability of the small and minor watercourses in Maricopa County, 05-014-NAV.**  
Matter was continued to November 17, 2005.
9. **Determination of the navigability of the Coconino County Small and Minor Watercourses 05-010-NAV (discussion and action).**
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.)* None.
11. **Future agenda items and establishment of future hearings and other meetings.**
12. **Commission budget and continuation.** Continued to future date.
13. **Legal advice regarding laws and terms relating to navigability.** Continued to future date.
14. **ADJOURNMENT.** Meeting was not adjourned. At approximately 4:40 P.M. the Chair continued the meeting to November 17, 2005 at 9:00 A.M.

**November 17, 2005**  
**Meeting Continued from November 16, 2005**

**COMMISSION MEMBERS PRESENT**

Dolly Echeverria, Earl Eisenhower, & Jim Henness.

**COMMISSION MEMBERS ABSENT**

Jay Brashear, Cecil Miller.

**STAFF PRESENT**

George Mehnert, Dir and Curtis Jennings.

1. **CALL TO ORDER.**  
Chair Eisenhower called the meeting to order at approximately 9:11 A.M.
2. **ROLL CALL.**  
See Above.
3. **APPROVAL OF MINUTES** (discussion and action).  
None.
4. **All motions and responses to “SALT RIVER PROJECT’S MOTION FOR FINDING OF LACK OF STATUTORY SUBJECT MATTER JURISDICTION TO DETERMINE NAVIGABILILTY OF ROOSEVELT LAKE” in both 04-008-NAV and 04-010-NAV** (discussion and action). No discussion.
5. **Adoption of the Commission report regarding the Pima County Small & Minor Watercourses (discussion and action).**  
Completed on November 16, 2005.
6. **Hearing regarding the navigability of the Gila River 03-007-NAV.**  
Witnesses included: Stanley Schumm, Douglas Littlefield, D.C. Jackson, Hjalmar Hjalmarson, and Jon Colby. The Chair closed the hearing for the taking of evidence and indicated that the deadline date for filing post hearing opening memorandums will be determined in relation to the Commission’s receipt of the court reporter’s transcript of the proceedings.
7. **Hearing regarding the navigability of the Verde River 04-009-NAV.**  
Hearing continued to January 18, 2006.
8. **Hearing regarding the navigability of the small and minor watercourses in Maricopa County, 05-014-NAV.**  
Witness was Jon Fuller. Chair closed this matter for taking of evidence.
9. **Determination of the navigability of the Coconino County Small and Minor Watercourses 05-010-NAV (discussion and action).**  
Motion by: Jim Henness                      Second by: Dolly Echeverria  
Motion: Not 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.)* None.
11. **Future agenda items and establishment of future hearings and other meetings.**

12. **Commission budget and continuation.** Continued to future date.
13. **Legal advice regarding laws and terms relating to navigability.** Continued to future date.
14. **ADJOURNMENT.** Meeting was not adjourned. At approximately 8:42 P.M. the Chair continued the meeting to January 18, 2006 at 10:00 A.M.

**January 18, 2006  
Meeting Continued from November 18, 2005**

**COMMISSION MEMBERS PRESENT**

Jay Brashear, Dolly Echeverria, Earl Eisenhower, & Jim Henness.

**COMMISSION MEMBERS ABSENT**

Cecil Miller.

**STAFF PRESENT**

George Mehnert, Dir and Curtis Jennings.

**1. CALL TO ORDER.**

Chair Eisenhower called the meeting to order at approximately 10:06 A.M.

**2. ROLL CALL.**

See Above.

Motion by: Dolly Echeverria                      Second by: Jim Henness

Motion: To go into executive session.    Vote: All aye.

Meeting went into Executive Session beginning at approximately 10:04 A.M. regarding agenda items 4, 12, and 13, and the Executive Session ended at approximately 10:38 A.M.

**3. APPROVAL OF MINUTES (discussion and action).**

None.

**4. All motions and responses to “SALT RIVER PROJECT’S MOTION FOR FINDING OF LACK OF STATUTORY SUBJECT MATTER**

**JURISDICTION TO DETERMINE NAVIGABILILTY OF ROOSEVELT**

**LAKE” in both 04-008-NAV and 04-010-NAV (discussion and action).** The

Chair stated that the Commission will accept jurisdiction regarding the navigability of Roosevelt Lake.

**5. Adoption of the Commission report regarding the Pima County Small & Minor Watercourses (discussion and action).**

Completed on November 16, 2005.

**6. Hearing regarding the navigability of the Gila River 03-007-NAV.**

Completed on November 17, 2005.

**7. Hearing regarding the navigability of the Verde River 04-009-NAV.**

David Weedman was permitted to testify regarding this matter on November 16, 2005 and did not appear on January 18, 2006; however, the Chair stated that his the transcript of his testimony on November 16, 2005 will be appear as Appendix a to the Verde River hearing transcript. Appearing as witnesses were: Jon Fuller, Philip Pearthree, Jon Colby, Douglas Littlefield, and Jim Slingsluff. AAG Laurie Hachtel said she will write a letter to the Commission regarding the status of an appeal regarding Indian Nations and the State Land Department. Following completion of the testimony, the Chair closed the hearing for taking evidence and indicated that a date will be established for the deadline to receive post hearing legal memorandums based on the date the Commission receives the court reporter's transcript of the hearing. Attorney Joy Herr-Cardillo will mail to the Commission a copy of the CD containing the PowerPoint photographic slides presented by witness Jim Slingsluff.

**8. Hearing regarding the navigability of the small and minor watercourses in Maricopa County, 05-014-NAV.**

Completed on November 17, 2005.

**9. Determination of the navigability of the Coconino County Small and Minor Watercourses 05-010-NAV (discussion and action).**

Completed on November 17, 2005

**10. 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 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.)* None.

**11. Future agenda items and establishment of future hearings and other meetings.**

**12. Commission budget and continuation.** Continued to future date.

**13. Legal advice regarding laws and terms relating to navigability.** Continued to future date.

**14. ADJOURNMENT.** Meeting was not adjourned. At approximately 8:42 P.M. the Chair continued the meeting to January 18, 2006 at 10:00 A.M.

Motion by: Jay Brashear                      Second by: Jim Henness

Motion: To go into executive session.      Vote: All aye.

Meeting adjourned at approximately 3:30 P.M.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "George Mehnert". The signature is fluid and cursive, with a long horizontal stroke at the end.

George Mehnert, Director  
January 19, 2006