



STATE OF ARIZONA
NAVIGABLE STREAM ADJUDICATION COMMISSION

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JANET NAPOLITANO
Governor

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GEORGE MEHNERT
Executive Director

MEETING MINUTES
Phoenix, Arizona, May 24, 2006

COMMISSION MEMBERS PRESENT

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

COMMISSION MEMBERS ABSENT

None.

STAFF PRESENT

Curtis Jennings, George Mehnert.

1. CALL TO ORDER.

Chairman Eisenhower called the meeting to order at approximately 10:04 A.M.

2. Roll Call.

See above.

3. Approval of Minutes (discussion and action). Minutes of April 11, 2006.

Motion by: Jim Henness Second by: Dolly Echeverria

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

4. Determination of the navigability of the small and minor watercourses in Gila County, 04-010-NAV (discussion and action).

Motion by: Cecil Miller Second by: Dolly Echeverria

Motion: That the Gila River was not navigable. Vote: All aye.

5. Determination of the navigability of the Gila River 03-007-NAV (discussion and action).

Motion by: Jim Henness Second by: Jay Brashear

Motion: That the Gila River was not navigable. Vote: All aye.

6. Determination of the navigability of the Upper Salt River 04-008-NAV (discussion and action).

Motion by: Jay Brashear Second by: Earl Eisenhower

Motion: That the Upper Salt River was navigable Vote: One aye. Four nay.

Motion by: Jay Brashear Second by: Jim Henness

Motion: That the Upper Salt River was not navigable. Vote: All aye.

7. Determination of the navigability of the Verde River 04-009-NAV (discussion and action).

Motion by: Jay Brashear Second by: Earl Eisenhower
Motion: That the Verde was navigable Vote: Second and Motion
Withdrawn.

Motion by: Dolly Echeverria Second by: Cecil Miller
Motion: That the Verde River was not navigable. Vote: All aye.

8. Motion by the Attorney General in its Response Memorandum relating to the Verde River to strike from the record First American Title Insurance Company of Arizona's Joinder Memorandum to Salt River Project's Opening Memorandum and to Phelps Dodge's Opening Memorandum, on the basis of untimely filing (discussion and action).

Motion denied by Chair.

9. Renewal of Attorney Contract to be effective July 1, 2006 through June 30, 2008, (discussion and action).

Motion by: Jim Henness Second by: Dolly Echeverria
Motion: That the contract be renewed through June 30, 2008. Vote: All aye.

10. Budget/Funding condition and forecast.

The Chair and the Director explained the condition of the budget.

11. Budget Supplemental Request for FY2006 regarding notice of intent to seek judicial review.

The Chair and the Director commented that a supplemental request for \$50,000.00 has been filed but has not yet been acted on.

12. 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.)

Questions and conversation by an unidentified guest regarding prior Gila River Lawsuit took place.

13. Future agenda items and establishment of future meetings.

None specifically established.

14. ADJOURNMENT.

Motion by: Jay Brashear Second by: Cecil Miller

Motion: To adjourn. Vote: All aye.

Meeting adjourned at approximately 10:50 A.M.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "George Mehnert". The signature is written in a cursive, flowing style.

George Mehnert, Director

May 24, 2006